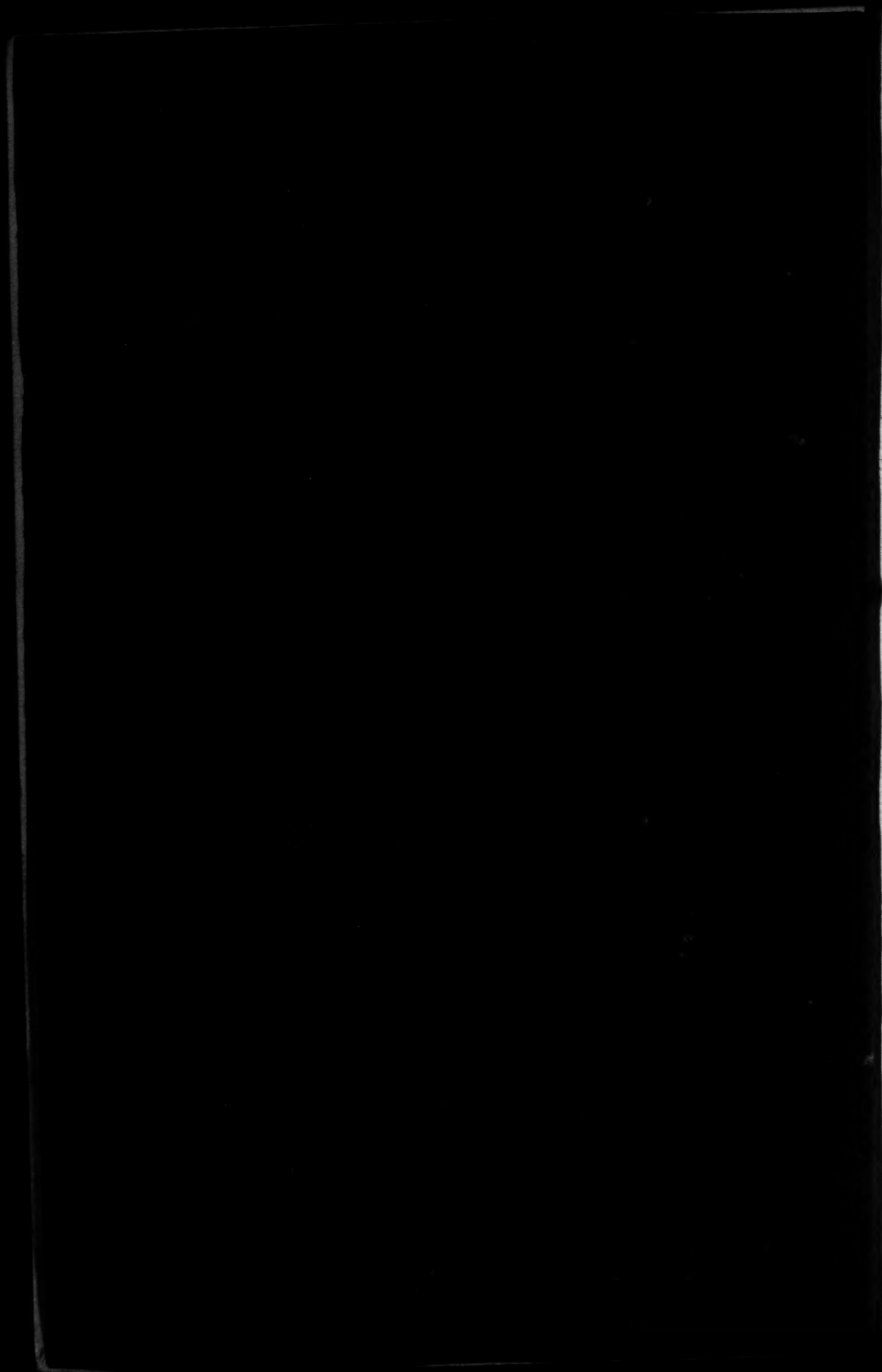


A Full Reply..

William Baylies, M.D.

London. 1759.





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A FULL  
R E P L Y

To a PAMPHLET, entitled,  
A SHORT ANSWER  
TO A  
SET of QUERIES

Directed to  
The PRINCIPAL CONDUCTORS of the  
GENERAL HOSPITAL, or INFIRMARY,  
in the City of BATH.

---

By WILLIAM BAYLIES, M. D.

AND

Fellow of the Royal College of Physicians in Edinburgh.

---

*Mordear opprobriis falsis, mutemque colorem?  
Falsus honor juvat, et mendax infamia terret  
Quem nisi mendosum et mendacem?*

HOR.

---

L O N D O N,

Printed for A. MILLAR in the Strand,

MDCCLIX.

R. E. P. L. Y.

A. SHOOTING AND FISHING

SET OF 12



WILLIAM BAYLY

LONDON

Printed by...



P R E F A C E

T H E

P R E F A C E.

**W**HEN truth and decency are sacrificed to gratify the ends of private malice, and when anonymous writings are made the vehicles of abuse, it must be allowed that no answer can reasonably be expected from a man, who acts ingenuously, and dares to appear without a mask.

In my historical account of the Bath Hospital, many interesting facts were represented in their true light, and some pertinent questions were fairly proposed to its principal conductors. The author scorned that little indirect method of intrenching himself in darkness.

*A short Answer* (as it is justly called) appeared, which in a few days was suppressed; and almost stifled in its birth; tho' to the

surprize of all beholders, it afterwards shewed its face again with some little variations and additions: it hangs out very doubtful and uncertain colours, pretending to come from *a Governor of the Bath Hospital*. Surely this motley performance could not be the product of any one individual governor? It seems rather to come from a juncto of wise heads, a collective body of criticks, each of which threw his remarks into the rude indigested heap, without order, consistence, or connexion.

Indeed, this spurious brat is attempted to be laid at the door of a certain honourable gentleman \*, but I beg leave to say, 'it has not one feature of such a noble extraction—His illustrious family would blush to see so mean an offspring entailed upon it. But from what quarter soever this anonymous production comes, I think myself obliged, in justice to the publick, to consider it in all its parts, to strip it of its artificial disguises, and to point out its many absurdities, and most glaring contradictions.

\* See the governor's answer to the sixteenth question.



## P R E F A C E.

The preface gives us a specimen of the true spirit of this pretended governor—He talks of *great attention; of a mind divested of all prejudice; and a resolution to remedy every mismanagement I discovered in the conducting of the charity* \*.

But cool and impartial as he would be thought to be, he soon bursts out into heat and passion—He is *blind to argument and reason*, and can find nothing, as he pretends, but *dull repetitions, useless quotations, and private conversations misrepresented and misapplied* †. Thus he flourishes like a gladiator, as soon as he comes upon the stage.

Poor man! ‡ *He is vexed that the publick should be so imposed upon*—But it will plainly appear, that this vexation arises from another cause; from a conviction, that the many great abuses which have really crept into the management of the hospital, have been exposed to publick view: and this consideration, (if he had been wise) should

\* See the governor's preface, Ed. 2d. page 1, 2.

† Idem, page 2.

‡ Idem, page 2.

have fixed him sooner in his present resolution of laying down the gauntlet for ever\*.

But, lo! the champion takes the field—He cannot bear a challenge, lest he should be deemed a coward—Rather than my book should be thought *unanswerable, because not answered, he draws the pen* †, though with some reluctance, or rather with *fear and trembling*——

Forgive him, reader, this one attempt, bold and adventurous as it is—For this is his first and last blow—*He has promised to offend no more* ‡.

But to be more serious—This great governor and *well-wisher to the charity*, as he calls himself, begins with taking notice of some facts, which, he says, *could not be so well included in his answer to my queries* ||.—

The first of these *relates to the power of the governors in calling a general court*, which, in a legal manner, can only be held on the first day of May.

\* See the governor's preface, page 8.

† Idem, p. 3.

‡ Page 8.

|| Page 3.



I did not assert this at random—My declaration was founded upon the express direction of the act of parliament\*, and to that I appeal.

Indeed, the letter of the law is no rule to this gentleman : he enters into the spirit of it ; and being wiser than public wisdom, he knows best what is fit and reasonable : rather than I should pass without contradiction, he takes upon him to contradict the authority of the legislature itself.

My application to be chosen a physician to the hospital at such time as the governors thought proper to elect one, by no means proves, *that I looked upon it as a thing immaterial, whether I was legally elected or not*† ; it demonstrates no more, than that I was willing to conform to the ordinary method of proceeding, though elections at the hospital were regulated, not according to law, but the arbitrary will of the acting governors.

\* See the act, or the clause of it marked (a) in the History of the Hospital, page 43.

† See the governor's preface, page 5.

I am

I am charged next with a *misrepresentation relating to a Surgeon, who was discarded the hospital* \*—That affair was set in its proper light in many pamphlets † at the time it happened—I therefore did not take upon me to make any representation at all of that extraordinary transaction, but contented myself with copying from the books of the hospital the record of the suspension and dismissal.

\* See the governor's preface, page 5.

† (1) An appeal to the public, or a plain narrative of facts relating to the proceedings of a party of the governors of the new general hospital at Bath against Mr. Archibald Cleeland, one of the surgeons of the said hospital, Sep. 1743.

(2) A short vindication of the proceedings of the governors of the general hospital at Bath, in relation to Mr. Archibald Cleeland, late surgeon to the said hospital, &c. By the governors who voted Mr. Cleeland's dismissal, 1744.

(3) A review of two pamphlets lately published, the one entitled, An appeal to the public, &c. the other, A short vindication of the proceedings of the governors in relation to Mr. Cleeland. By J. Trevanian, Gent.

(4) A full vindication of Mr. Cleeland's appeal to the public; wherein the gross misrepresentations and falshoods of the short vindication are detected and exposed. Addressed to the thirteen governors who voted his dismissal. By Mr. Cleeland himself.

(5) A letter to Mr. Cleeland, occasioned by his full vindication of his appeal to the public. By a nameless writer.

Even



Even this was an offence in the eye of this unprejudiced governor—tho the author of the *Critical Review* (perhaps with great propriety) thinks me too sparing in my strictures.

‘ We could have wished, says he, that  
‘ for the sake of truth, and in justice to injured innocence, Dr. Baylies, in mentioning Mr. CLELAND, surgeon, had, in some measure, explained the very singular case of that gentleman—As his name now stands, the reader is left in the dark, to put the most unfavourable constructions on his being suspended and dismissed from the hospital: whereas that suspension and that dismissal, as Dr. Baylies well knows, were instances of the most illegal despotism, of the most flagrant iniquity, and cruel oppression \*.’

This extraordinary governor goes on, and upbraids me, *with quoting an order, made June the third, relating to an admission of sur-*

\* See the *Critical Review* for Dec. 1758. Vol. VI. Page 517.

## PREFACE.

geons, and with telling my readers, that by an order, made June the twenty-fourth, the restraint of the former order was taken off. Can this be denied? These orders stand so recorded in the committee book, N<sup>o</sup>. I. Page 199 and 204.

To justify these proceedings, it is said, that the prior order was made, when the governors were unacquainted with the customs of Scotland; and that it was repealed June the twenty-fourth, on farther information; and it is asserted, that any man of common candour must have supposed this\*: supposed what? the hospital books contain no mention of any custom relative to Scotland. Had therefore this writer any share of that candour he so much talks of, he would easily have seen, that no reader could have suggested the reasons here urged, to be the motive for this inconsistency of conduct.

The governor will not allow ignorance to be an excuse for any but himself.—

There is one circumstance indeed, in which I am said to be mistaken beyond all

\* See the governor's preface, page 6.

doubt,



# P R E F A C E.

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doubt; and that is, that the reasons of Mr. CLELAND's dismissal are really specified in the books of the hospital; if it be so, let the governor make what use he pleases of this oversight, which, in all probability, would have been prevented by a timely discovery, if I had not been refused a second examination of the books. How disingenuous therefore is it to censure a man in an affair of so trifling a nature, which it was not in his power to avoid, and of which his accusers themselves were the only cause?

It may be farther matter of some triumph to this gentleman, when I frankly confess another error.—I understood that the patients of the general hospital had been sometimes permitted *to walk from the baths in their wet, bathing linen*: this is absolutely denied\*, and I am willing, if it will be of any service to him, *in part* to give up the point: but thus much I must insist upon; *that the poor of the hospital, not only in summer, but even in winter, have been often seen walking*

\* See the governor's preface, page 7.

*from the baths to the hospital after bathing, wrapt up in their flannel dresses; the truth of which can be attested by many persons of the most established character.*

Such is the unhappy temper of this writer, that he is not content with casting his reproaches upon me—my friend likewise must share the same fate\*, and become the object of his displeasure, for no other reason which I can devise, than because he is in friendship with me; has honesty enough to adhere to truth; and courage to expose the blunders of the ignorant—As to the practice of patients walking home from the baths in wet bathing linen, it was never recommended by him. His experiments were of a more important nature, such as have expelled from the waters the *ideal sulphur*, the god of some men's idolatry. For this it is, that all these arrows are shot, even bitter words.

As to the quantity of medicines used in the hospital, a vague answer is given † upon

\* See the governor's preface, p. 7. † Ibid. p. 7, 8.



# P R E F A C E. xiii

*bear say only*; but the governor must excuse me, when I tell him, that his intelligence is false. A little inspection into the annual accounts of the charity may soon convince him, what has been the annual payment for drugs, and the number of patients received into the hospital.—It is surprising, that he rests this matter upon uncertain testimony, when the certain original record was so near at hand.

We have now traced the governor thro' all his windings and turnings to the conclusion of his preface; and he takes his leave with this kind advice, *that I would not censure other gentlemen for interested views, till I have, by a steady and uniform behaviour, convinced the world, that I am entirely disinterested myself*\*.—I must tell him that the world is already convinced, at least the impartial part of it.

It was my detestation of mercenary views, that called me into this debate; and whenever they cease, I will promise, that this

\* See the governor's preface, page 8.  
contest

contest shall cease for me: but as long as a mean and selfish spirit prevails, and is the governing principle of men's actions, be it known, that no endeavours shall be wanting in me, to tear it up by the roots, and to expel this narrowness of soul, as the highest disgrace to the profession of physick.

As to the management of other hospitals, it is quite beside the question, and I hate comparisons—I can only wish, that no institutions of this nature were perverted to bad ends.

If the publick interest is the point in view, why are not the cases of patients, who receive benefit from the waters, published to the world? But this indeed, is called, *making a parade of cures* &c. A strange expression indeed!—Is it not rather the most disinterested method of making known the real virtues of the waters, and of doing good to our fellow-creatures?—How would such an open and ingenuous conduct excite the bounty of the rich?—What a lustre would

\* See the governor's preface, page 9.



## P R E F A C E.

xv

it give to charity, by shewing to all, to the benefactors especially ; that a proper application is made of their liberal donations ?

But notwithstanding this, the governor assures us, that under the present regulations of the hospital, *if we attend at the dismissal of the patients, we shall see the lame and cripples dance, and clap their hands for joy, and hear the paralytick tongue sing Allelujabs \**.

What a joyous scene would this be !

O, the benevolent heart of this rapturous and seraphick governor !

*O Parmeno mi ! O mearum voluptatum omnium,  
Inventor, inceptor, perfectior, sci 'n' me in quibus  
sim gaudiis !* Terence.

\* See the governor's preface, page 9.

## I N T R O.





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THE  
INTRODUCTION.

WE now come to what the governor calls his Answers to a Set of Queries, which were subjoined to my historical Account of the Rise, Progress, and Management of the General Hospital at Bath. —But the reader will soon perceive how fallacious and equivocal those pretended Answers are; that they are neither founded upon reason nor truth; and that the whole force of them consists not in a just relation of facts, but in a continued thread of low and scurrilous expressions, beneath the dignity of a gentleman, who calls himself a *Governor of the Bath-Hospital*.

Fictitious characters are easily assumed; and he might as well have stiled himself hackney-writer to those learned Doctors, OLIVER, MOYSEY, and CHARLTON: they are

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## INTRODUCTION.

the principals in this dispute \*, and their honour must stand or fall together with their advocate's. I wonder, therefore, that those gentlemen, in regard to their own characters, did not seek a more able champion; and that they did not at least correct his manners, if they could not brighten his understanding. The only excuse which I can make for them is, that they knew the badness of their cause, and were glad to take up with any hero in their defence.

\* See a Narrative of Facts, by the Author,

ALL



A FULL  
**R E P L Y**  
 TO A  
**PAMPHLET, &c.**  
**QUERY I.**

*Is not the act of parliament for establishing a general hospital at Bath, the sole and absolute direction for its government? Or, have the governors a right to disregard that direction, when it is not subservient to their private purposes?*

**A** According to the \* Answer of this gentleman, the act *is* and *is not* a rule. He first acknowledges, that it is an absolute direction for the proceedings of the hospital; and in the next place contradicts it, by foisting in a very curious exception. *But where the act,*

\* See the Governor's Answer to this and the several other Questions, at the end of this Reply.

says he, *is in any part obscure, they, that is, the governors, have thought themselves at liberty to explain it.*

What obscurity does he mean? Why this mist before his eyes? Why, like *Æneas* and *Achates*, does he envelop himself and friends in a visionary cloud?

Does not the act expressly require fourteen days notice for the election of a physician and surgeon to the hospital †? Is it not directed in the clearest and strongest terms, that *when any physician or surgeon, legally chosen, shall happen to die, or to be removed, another shall be elected in his stead* †?

Here is no ambiguity, no possibility of mistaking the sense of the legislature. The road of truth is plain and open; but, as an excuse for not walking in it, he entangles himself in thorns and briars.---In the same breath that he owns *the act to be a rule of conduct*, he starts his doubts and difficulties; and for no other reason, but as a sham defence for deviating from that rule.---Such shifts and subterfuges betray themselves.

His Answer to the latter part of my Question favours of a more malignant spirit. When

† See note (c) in the History of the Hospital, p. 44, being the clause of the act of parliament at large.

asked,



asked, whether the governors have a right to disregard the directions of the act, when not subservient to their private purposes, he can no longer contain himself; but

*At one slight bound, high o'erleaps all bounds.*

Milton.

*This, he tells me, is a reflection, is malicious, is scandalous, is injurious treatment:*

A genteel method of confuting an adversary! But how does he make good his charge? In my historical Account I produced many undeniable instances, in which no regard has been paid to the directions of the act: I referred to their own books for the truth of my assertions.

The facts are not denied by the governor himself; but what he wants in argument, he makes out by hard and opprobrious words:—And, as tho' conscious of the weakness of his cause, he endeavours to strengthen his party by a false suggestion, *that I have solely, and without exception, reflected upon all the governors of the hospital,* one would imagine by this fine stroke, that *all the governors* were abettors of his schemes, and that I had taken the liberty of censuring the whole body; whereas, in the whole chain of my history, I point at none but the over-ruling governors, who regard their own personal, more than the public, interest.

Others

Others there are, whom I know to be men of the strictest honour and integrity, above all sordid and mercenary views, and so far from giving countenance to the present management of the hospital, that they speak of it with abhorrence, and would gladly endeavour to correct the abuses complained of; but they are sure to be over-ruled by the numerous fraternity, who have been artfully elected governors since the passing of the act, and whom private interest has combined together.

## QUERY II.

*If the directions of the act are absolute, why have not the governors chosen another physician to the hospital, as often as any of those under the act elected, have died or resigned?*

To this question the governor is at a loss to know what answer to make.---Having missed of his first aim, he shifts and changes his posture of defence.

In his first edition he confesses, that, in the original institution of the hospital, it was thought adviseable to admit every eminent physician and surgeon, who would take on themselves the trouble of attending, gratis.---Such was the sense of the governors before mercenary schemes were formed.

But



But as tho' it repented this gentleman of the truth, he withdraws this generous confession, as staring him in the face with too great a glare of evidence.—He therefore expunges this, and strives to raise a stronger battery.—I shall, therefore, follow him to his new fortifications, least he should complain that I take him at any advantage.

In his second edition we certainly have the force of his most improved and ripened thoughts.

—There he tells us, *That the act of parliament gives the governors an unlimited power to appoint as many, or as few physicians, as they shall think will be sufficient, to take care of the sick admitted into the hospital.*----To which I answer, that the wisdom of the legislature evidently appears in its prescribing no limitations, no exclusive orders.---The act is so far from confining the number of physicians to three only, that it leaves the door of the hospital open to all that are willing to enter in with the hand of mercy. If the governors therefore, now, as well as at the first institution of the hospital, have a discretionary power vested in them, is this a reason for the abuse of that power? Shall they take upon them, for the private benefit of *three only*, to circumscribe bounds, and to draw so narrow a circle round the afflicted poor, within the compass of which no help is to be administered but

by three alone. The sacred rights of CERES were never guarded with more profound secrecy, where none but the *initiated* were allowed to enter. *It was not lawful, says Tully, so much as to indulge the imprudence of the eye in these mysteries\*.*

Methinks I hear our modern mystagogues cry out,

*Odi profanum vulgus, et arceo.*

Hor. Book III. Od. 1.

—Stand off, ye vulgar, nor profane,  
With bold, unhallow'd sounds, this festal scene.

*Francis's Transl.*

I wish these gentlemen would set up some fixed standard; for the governor really represents them as acting by no established rule. He owns that *all physicians* were at first admitted; then *three*, then *six*, then *three*;—all at random in the most desultory manner.

What strange inconsistency of conduct is this †? Is the number to be enlarged or

\* *Quo ne imprudentiam quidem oculorum adjici fas est.*

Tully de Legibus, Lib. II. ch. 24.

† *Nil fuit unquam*

*Sic impar sibi.*

Hor. Sat.

*Quod petiit, spernit; repetit quod numer omisit;*

*Æstuat, ac vitæ disconvenit ordine toto.*

Hor. Ep. Lib. I.

contracted



contracted according to such capricious humours ?

Let the governor look into the act (which I fear he has never perused) and he will there see, that his friends have not that arbitrary power which they pretend to assume. *They are required to fill up vacancies, as often as they shall happen by death or removal.*---This is the express direction of the act.

When the governors themselves had elected six physicians, it was certainly their duty to adhere to that number, and to fill up vacancies as often as they happened. Can they produce any bye-law, properly confirmed, which directs the contrary ?---No ! the only excuse pretended to be given is, that *experience had made them wise, and convinced them that the hospital was better attended by three than by six physicians.*----What a censure is this upon these six physicians ? The reader must certainly think, that they were either very ignorant men, or very remiss in their duty.

But perhaps the governor did not intend such a severe reflection : he only meant to extol the wisdom and care of the present triumvirate, who, perhaps, are each of them wiser not only than six, but, as SOLOMON says, *than seven men that can render a reason.* There is no doubt, but

if all the physicians of Bath were put into the scale with them, they would be found *light in the balance*, and *would kick the beam*.

But as the governor talks of experience, I shall only tell him that he begs the question.--- I wish he would point out the facts upon which this pretended experience is founded. He has not so much as specified one single instance, in which the attendance of six physicians has been injurious to the hospital; neither has he offered one proof of the superior abilities of his three favourites. Many inconveniencies may arise from a paucity of friends and assistants; but where there is a multiplicity of poor patients in distress, the greatest advantages must redound to them from the joint concurrence of many physicians, all conspiring with one hand and one heart, to the relief of their calamities.---The admission therefore of six, would be the surest means to remove jealousies and suspicions, and to establish peace and harmony among us.

Perhaps the governor, like many of the ancients, may have a fondness for the number three:---he may fancy that there is some secret charm in it, or a kind of mystical spirit\*, which

\* *Ter bibe, vel toties ternos—sic mystica lex est.* Ausonius.



will chase away all diseases; or, if his mind is not possessed with this tang of superstition, perhaps he may be fond of this *golden number* for the sake of its *golden effects*. If the latter be the case (as I am apt to believe it is) which ought to be most considered, the general good of the whole community, or the private interest of three all-sufficient doctors?

Whatever the governor's motive be, I could wish that this matter was put to a fair and open test; that the experiment of six or more physicians be tried again; and it requires no prophetick spirit to say, that the happy fruits of such enlarged assistance will soon be discovered.

Publick charities will always flourish best, when the administration of them is open, impartial, and uncorrupt; and I am the more confirmed in this opinion, by that great historian LIVY, who was well acquainted with human nature, and the publick affairs of life. He, (if my memory does not fail me) tells us, that private matters ever were, and will be, an obstruction to publick concerns.

*Privata res semper officere, officientque publicis negotiis.*

QUERY

## Q U E R Y III.

*Why has not the notice required by the act, for the election of a physician to the hospital, been constantly given, as often as the governors have thought fit to elect any one into that office ?*

I had reasons for asking this question. I knew that elections had been made without proper and regular notice. When *Doctor HARTLY* resigned, at the very same meeting *Doctor SOMERS* was immediately chosen in his room, without any previous notice, and, directly contrary to the injunctions of the act; and, when I myself offered my service to the charity, the election, according to the first appointment of it, was postponed in consequence of my remonstrances, which put a stop to the irregular proceedings, and induced the governors to give legal notice\*.

If there had been no omission in this affair, how easy might it have been for my respondent to have answered in direct terms, without equivocation, and to have declared openly, that the act had been always and uniformly observed?---but he knows the contrary, and his evasions are a convincing proof of it.

\* See the Hospital History, page 96.



*It does not appear (he says) that this form has ever been neglected. Its not appearing in the books of the hospital, is no proof that it was not done.*---

But I must beg leave to tell him, that it does appear, from plain facts, beyond all contradiction :---and its not appearing in the books of the hospital, is a strong presumption, if not a certain proof, that there have been frequent omissions.

For, in some few instances, where legal notice was given, there are particular entries of it made in the hospital-books\*; may we not therefore conclude, that where there are no express entries, there was no previous notice?

Let this be a specimen of the governor's art of reasoning, as well as his regard to truth.

\* See the History of the Hospital, p. 59, 65.

QUERY

## QUERY IV.

*By what authority have the inhabitants of Bath, who are poor, and afflicted with diseases, for which Bath waters are reputed a cure, been excluded from all chance of relief from the Bath hospital, when the act entitles every subject of Britain and Ireland to the benefit of it?*

The act makes no partial distinctions:---it breathes a true spirit of universal charity, extending itself to all the subjects of Great Britain.

But the governor, like an able casuist, distinguishes with uncommon penetration; and overlooking the *whole body of the act* as of no force, directs his judgment by the *preamble only*: but he stumbles on the very *threshold*.—Even the introductory clauses of the act make nothing for him. There is, indeed, some mention of *poor persons who live at a distance from the city of Bath*, to whom this charity may be said, by way of eminence, to be of singular advantage.

But when the act indefinitely comprehends all within its bosom of love, is it not an instance of the highest injustice, as well as a breach of charity, to exclude the poor of Bath, and them only, in so distinguished a manner, out of the

the



the *pale of mercy*?—I must tell the governor, that he has no more right to debar them of the privilege of the water than of air.

But supposing that these *poor inhabitants*, as he insinuates, may have opportunities of using the waters, and the ready advice of some physician of the place, can it be reasonable that they should be left to such uncertain acts of kindness? Or, if certain, that they should be put to the uneasy task of soliciting that, as a matter of favour, to which they have a legal and indubitable right, under the sanction of an act of parliament?

Let him ask the governors of the Pauper Scheme, (the only charity instituted for the relief of the sick poor of Bath) and they will tell him, that the funds of that charity are not sufficient to support the expence of the bathing patients, which has lately obliged them to make an order, that the respective patients must defray their own charges, that arise from bathing; and to what end could such an order be made, if (as the governor says) *the poor inhabitants of the city of Bath have a constant opportunity of using the waters?*

As to the hospital, which he mentions to be under the jurisdiction of the corporation of Bath, it is of a trifling nature; its endowments are

small, and they cannot extend their influence to many objects. Why, therefore, the poor of Bath are turned over to such slender provisions for their relief, when they have a higher claim, an undoubted right, as well as other subjects, of being admitted into the general hospital, no just reason can be given: but the reader will be farther surprised, when I tell him, that even this charity is so far from being the peculiar property of the poor inhabitants of Bath only, that it belongs rather to the stranger that comes from far, than to them that dwell within our own precincts \*: and the yearly salary, which is pretended to be paid to the physician for his care of the sick in this hospital, is no way appertinent to it, nor paid out of the fund of the corporation: it is a distinct charity, called *Lady SCUDAMORE'S Gift*, and was originally designed for the benefit of such poor as should resort to the Bath for the cure of their infirmities †.---From these, therefore,

\* This hospital is called Bellot's Hospital, concerning which Mr. Wood has these words, p. 305.

“ This structure, with the small endowments of it, is under the guardianship of the corporation of Bath, and it is appropriated for the use of poor people coming to the city for the benefit of the hot waters.”

† On the wall, near the common pump, in the passage to the dry pump, there was, till very lately, a plate of brass, on which was this inscription :

“ All



fore, there can be no sure foundation of relief, and consequently no just argument for the exclusion of any person from the general hospital, to whom the law has given an undoubted right of admission.

But the governor thinks he has a power to give, and to take away, as he pleases.---The loaves and the fishes are all to be distributed as he directs. For once, therefore, I will become his petitioner, and beg of him to exert his sovereign authority in favour of the poor of our own household, or, at least, to do them justice, though it *be grudgingly, and of necessity*.

O governor, let me intreat you for pity-sake, disfranchise not your own citizens: permit them to live under the auspicious influence of our own PENATES: deny them not the gifts which kind indulgent Heaven has bestowed upon them!--O! revere the shades of good KING BLADUD \*; and think, that you hear that venerable

“ All poore persons, not being conveniently able to mainteyne themselves, and resorting to the bath for the cure of their diseases or infirmities, may take notice, that there ought to be a physician yearly nominated and appointed by the mayor and aldermen of Bath, who is to give his best advice, from time to time, to the said poore persons, without any reward from them, there being a salarie provided to that purpose by the charitable gift of *Dame Elizabeth Viscountess Scudamore*.”

\* BLADUD, to whom the Grecians gave the name of ABARIS, and who is recorded to be the first founder of Bath. See Wood's Account of Bath.

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and hoary sage (like old PRIAM, as described by HOMER †) imploring mercy for his genuine sons, the poor natives of this city.

### QUERY V.

*When the governors, from their experience in the management of the hospital, found it expedient to make orders or resolutions for regulating the conduct thereof, why had they not the orders they made converted into by-laws, by the sanction of the bishop and judges, as the act requires?*

As the legislature could not possibly have in view every necessary circumstance for well regulating this hospital, it lodged in the hands of the governors a discretionary power of making by-laws, under proper restrictions, (according to the expressions of the act) *such as be reasonable, and not contrary or repugnant to the statutes, customs, or laws of this kingdom:* and lest this liberty should be abused, there was a wise provision, that all new orders and constitutions, not contained in the act, *should have the approbation and sanction of the bishop of the diocese, and the respective judges of the circuit.*

† Homer, Lib. XXIV.



Let us now consider, whether the hospital has been managed in conformity to this excellent model.

From the very first institution of it, there has been no established order, no regular plan of proceeding; but, from time to time, such by-laws were formed as were found most suitable to the purpose of the day: the resolutions and orders of one meeting were repugnant to those of another, and, in some instances, to the very statute, by virtue of which they were made.

Ten years, as the governor himself confesses, elapsed, after the commencement of the act, before any proposal was mentioned to reduce the several rules, that had been agreed on, into any regular system; or of submitting any of them to the approbation of the bishop and judges, as the act requires: and, altho' many meetings were then held to the intent of making by-laws, the particular gentlemen fixed upon for that purpose totally declined it. If we consider the specimens, set forth in the Historical Account of the Bath-Hospital, of the several orders made by the managers for its government, together with the vigilance that has been used to conceal the books of those orders from public inspection, we may reasonably conclude,



that those laws which have been resolved on, were really by-laws, founded upon by-ends, to carry on the schemes of a few self-interested persons.

It is no wonder that men, who acted by no certain rule, not only in defiance of the publick law, but according to their own arbitrary will, should be afraid of having recourse to the bishop or judges.---Their actions could not bear the test of so impartial a tribunal.

The governor, indeed, would have this neglect to be imputed to other causes.---He shifts about, and turns round and round, like a weather-cock, for many excuses; but they are all empty and light as the wind itself.

Sometimes he pleads the *expence*; then the *difficulty of the task*; then the *want of a new act of parliament*; and, at last, *giving trouble to the bishop and judges*: but how childish and trifling are these pretences?

First, as to the *expence*; the act of parliament expressly requires the ratification of the by-laws, *without any fee or reward*.

Secondly, as to the *difficulty*; that cannot be urged by gentlemen of a liberal profession, who pretend to know so much above their brethren. When men direct their aim to one single point,  
name,

namely, the publick welfare, it is seldom that they err for want of knowledge; but when schemes are forming for private interest, there can be expected no harmony of sentiments; one man's interest clashes with another's, and all is confusion.

The third excuse is, the *want of a new act of parliament*; an excuse which, once admitted, every delinquent may plead, and thereby evade punishment. If this argument proves any thing, it proves too much, and may, with equal parity of reason, be urged for a total disregard of the whole frame and constitution of the act, and, indeed, of all acts whatsoever.

The only defect which occurs to me in the framing of this law is, that it has not more closely tied down the hands of men, whose orders have been contradictory, one to another, and to the law itself. Could such conduct have been foreseen, it had certainly been guarded against with more precision, and with stronger bars.

But, lastly, let not the governor talk of *giving needless trouble to the bishop and judges*:---they are men, who, through the arduous paths of virtue, have arrived at the temple of honour, both able and willing to discharge their publick trust; and  
surely



surely, these governors for once might have humbly desired the seal of their approbation.

Upon the whole, I cannot but remark, how much these excuses are like those of a *school-boy*, who having *neglected his task*, is apt to say, that he had *no money to buy ink or paper*; that *his exercise was very hard*; that he *wanted a new book*; or, that *he was afraid of troubling his master in asking his instructions*. It is seldom that these pleas are admitted.

Whether the governor deserves discipline or no, let the reader judge.

As to my part, as he has promised to transgress no more, I am inclined to the favourable side.

#### QUERY VI.

*When any person solicits to be a member of a society, who is able and willing to promote the ends for which it was established, what can justify that society's making an order to prevent the admission of such person amongst them? Especially when they have seen the funds for supporting those ends considerably augmented, in consequence of an order for the admission of all gentlemen who were desirous to be members, and the same funds greatly diminished, upon making an order to the contrary effect?*

Here



Here the flood-gates of abuse are opened ; the governor is lost in such a whirl of passion, that the foul and impetuous torrent carries him away beyond all bounds of reason, decency, and truth. He certainly must have forgot his motto,

*Parcere personis, dicere de vitiis.*

I looked upon this sentence as a good omen, a kind of implicit promise made to the publick, that he would avoid all personal reflections.

But what then had become of his little book ? it had been reduced even to a *nutshell*. If he had let the man alone, he would have had nothing to encounter ; for he could not have been so hardy as to fight against truth, and truth alone.-----His chief aim, therefore, is to attack his adversary in his personal character ; he calls *his abilities in question ; his knowledge in his profession ; his fitness for society ;* and, to make him a compleat piece, he dresses him up in those fine epithets, *quarrelsome, litigious, unsociable, and consummate assurance*.---What beautiful strokes of raillery are these ?

But as I am persuaded that they are the effects of anger and passion, and can have no weight upon the judgment of the publick, I shall not follow the governor thro' such a dirty track, but shall leave him to stick in his own mire, and let him

him make what figure he pleases, perhaps not unlike that of AGLAUROS, as described by OVID.

—————*Saxumque exangue sedebat,  
Nec lapis albus erat, sua mens infecerat illam.*

“ Till hardning every where, and speechless grown,

“ She sits unmov’d, and freezes to a stone :

“ But still her envious hue, and sullen mien,

“ Are in the sedentary figure seen.”

ADDISON.

It would ill become me, either to speak of myself, or to retort upon the governor in his own way. Out of three long pages of scandalous reflections, there is but one paragraph which can be thought to require any notice from me.

I had asserted, that *the funds were considerably augmented, in consequence of an order for the admission of all gentlemen who were desirous to be members.*

The governor *wonders at my assurance* ; and in this staring and affrighted state, he positively denies that *any such order existed, or was ever thought of by any but myself.*

Truth cannot consist in two opposites ; either the affirmative or the negative must be wrong. Mr. WOOD has fully proved my assertion, and to



his book I appeal ; wherein he expressly says \*,  
*that the trustees of the charity made it a rule to ad-  
 mit into their number, every person that shewed the  
 least inclination for encouraging it. But the go-  
 vernor himself tells us, that Mr. Wood speaks of  
 the time before the act was made.---Yes, sir, he  
 does, and so do I. Was such an order, there-  
 fore, never made, nor thought of, by any body  
 but me?*

Out of your own mouth you stand condemned.

### QUERY VII.

*Why have the vacancies amongst the trustees been  
 generally supplied by the election of some Bath phy-  
 sician, surgeon, or apothecary, or some person de-  
 pendent on them?*

Dear governor, don't trifle !

According to your own state of the case, sup-  
 posing the whole number of governors which  
 constitute the general court, to be *one hundred  
 and seven*, you well know, that near *one half*  
 are noblemen and gentlemen who live at a dis-  
 tance from Bath, and, consequently, can have  
 little or no share in the administration. If *twenty-  
 one* of the remaining number are of the faculty,

\* See Mr. Wood's Account of Bath, p. 291.

as you confess, their united strength and connections with but few other persons, must be sufficient to carry any point.

Again, you observe, that the court of committees, who have the chief management of the hospital, consists of *thirty-five* only, of which *sixteen* are of the faculty. If so, can there be any doubt of the over-riding power of the latter, who are listed together in the same class, and in the same cause, and are as much devoted to their great medical dictator, as the *physicians in the temple of Isis were to their god ÆSCULAPIUS*?

Do not tell us, *that there is a want of gentlemen at Bath*.---This place is always honoured with the presence of many, both able to discharge the most important trust, and willing to exert their endeavours for the publick good.

Your own excuse betrays you, and every man in this place is able to disprove the truth of it.

#### QUERY VIII.

*Why has one member of the committee been excluded for non attendance, and another, who was then and for some years after out of the kingdom, chosen in his stead?*

The governor judges rightly, that this question points at the particular cases of *Doctor DA-*



VIS, and *Doctor OLIVER*, Junior.---The *one* was excluded from being a member of the committee for a pretended non-attendance; the *other* was chosen into it when out of the kingdom, out of the reach of all personal attendance, in obedience to the will of the great senior Doctor.

Why does the governor take upon him to defend such flagrant instances of partiality and inconsistency of conduct? He is, indeed, in a great embarrass; and, not being able to justify, is forced to quibble, and feign frivolous excuses.

He says, that *Doctor DAVIS* was not excluded merely for non-attendance:--What a *mere* shift is this word *merely*? If we turn over the leaf, we find the governor himself complaining, that for a long period of time, near three years and a half, *Doctor Davis* had attended but eight committees, one of which is held every week, and had performed the duty of house-visitor but twice, tho' he had been in Bath the whole time. Why this charge, but to vindicate the conduct of the governors in the removal of *Doctor DAVIS*? If any thing is meant by it, it must be, that this was one motive, at least, that influenced the minds of the ruling powers in that extraordinary act.

But the governor catches at another plea, and a very slender one indeed, *the twig of a drowning man*: he would have us believe, that *Doctor DAVIS* was discontinued in compliance with his *own request*, contained in the conclusion of a letter sent to the governors of the hospital in Nov. 1752; and, as a testimony of it, he gives us that part of the Doctor's letter in his own words.

But in this the governor must be mistaken.--  
*Dr. DAVIS*, tho' ill treated, bore it with great temper and patience: he sought no revenge; but as he found himself incapable of procuring the good to the publick which he sincerely wished, he declared his intentions to withdraw himself from all things relative to the points that had been then in dispute; but *not from any part of his duty in his profession, either to the rich or to the poor*: These he particularly excepted. When he found his struggles for the good of the charity to be all in vain, he does indeed wish, like a modest man, *never more to give trouble to the board of the Bath-Hospital*; not by absenting himself for ever, not by cutting himself off from all future concerns, but by abstaining from all such opposition only as might give trouble to the ruling powers: his words admit of no other construction, and his actions are the best interpreters



preters of them. The Doctor (as the governor himself owns) did afterwards attend, and at different times act, as a member of the committee: how, therefore, did he exclude himself by his own request?

What a delicate hand has this governor in putting a varnish upon things?

But if he would do justice either to Doctor DAVIS, to the publick, or to myself, why did he mutilate the letter? Why did he not set the whole truth in a full and open light? How ungenerous is it to impose upon the reader in so fallacious a manner? To offer here a bit, and there a bit, as he thinks it makes to his purpose, (tho' it really does not) when he himself is conscious that this same letter, if produced at large, would put him and his associates to open shame.

The most guilty criminal, by detaching one part of an act of parliament from the other, may find a subterfuge, and thereby may escape the hands of justice.--I appeal therefore to all men of sense and candour, whether I have not a right to call upon the governor in this publick manner to bring forth the letter in its full proportion; and when the whole evidence appears, if it tends to his honour, or that of his friends, I readily promise to ask his pardon.

But

But what was the reception which the fair and honest remonstrances of Dr. DAVIS met with, on his desiring an enquiry, why so few cures were performed in the hospital?—A great demur ensued; but, in the midst of this bustle, Dr. HARTLY (who was then in the chair) was pleased to sooth the matter, and all was hushed.

*Tum pietate gravem ac meritis si forte virum quem  
Conspexere, silent, arrastisque auribus astant,  
Ille regit dictis animos, & pectora mulcet. VIRG.*

“ If chance they then espy a sage, rever’d  
“ For piety and worth; all silent stand,  
“ List’ning with ears attentive: with his words  
“ He rules their passion, and their heat allays,  
TRAP.

The governor says the question was dropped, and no more said of it at that time.

But the anger was only stifled for a while.— Three years and a half after the Doctor had desired this enquiry to be made, he, tho’ a man of honour and learning, is abruptly displaced as a member of the committee.

Such monopolizers of a publick charity would obstruct the admission of all who will not, like beasts of burthen, carry the load which their leaders impose upon them.

Surely



Surely the governor, if he has any feeling, must by this time begin to blush; and when the election of Doctor OLIVER stares him in the face, his confusion must still be greater. Here, in the goodness of his heart, he confesses that *I speak truth for once*; and, by this confession, he for once puts it in my power to return the compliment:---he owns *that the new Doctor*, (if not chose immediately in the place of Dr. DAVIS, which is not material) *yet was elected at that meeting, tho' he was really out of the kingdom.*

What colour of excuse can such a proceeding admit of? For, granting the merits of this young gentleman to be ever so great, what service could he do to the charity, when beyond the seas? Surely the father claims the hospital as his own property, and thinks he has a right to bequeath it, like his goods and chattels, as his son's inheritance.

But the governor is never at a loss: he tells us, *that the young doctor was expected home very soon, and that his friends were very sorry afterwards, when he did not return according to their expectation, that he had been elected at all.* What the reasons for this expectation were, I cannot tell: but I must declare, that I am sorry likewise *that he was elected, for the sake of the hospital, whose interest is disregarded, for the sake of many*  
gentle-

gentlemen at Bath, who are thus overlooked, and, indeed, for the sake of good PAPA, who, in the fondness of his heart, would have put a coat of many colours upon his son; but he, like Joseph, was gone into a far country, and could not wear it.

Upon the whole, if the governors are so extremely sorry, as they pretend, for this election, why don't they ease their troubled minds? Why is the young doctor still continued upon the list, from year to year? Why don't they substitute some other person who is resident upon the spot, and can promote the interest of the charity?

This would be the best means to allay their grief, and would be some atonement to the injured hospital.

### QUERY IX.

*Are the physicians to any, except the Bath, hospital, appointed president, or deputy-president thereof? And have not the physicians to the Bath hospital some private ends in view from being so appointed?*

The governor declares, that no one was ever elected president of the Bath hospital except Doctor FREWIN, and that he declined the office, no doubt, because he knew it would not sit well upon any physician,



physician, of what eminence soever: and it would be better, if the physicians of this place would not take upon them the part of vice-presidents. It is the vice-president that fills the chair, that presides over the debates; and, the executive power in the government of the hospital is so far vested in him in some particular instances, that they cannot be done without his immediate concurrence. Tho' he acts but as a deputy in office, he is certainly the principal in the transaction of business.

It is found by experience, that when this superior influence is given to gentlemen of a profession, that self-love is too apt to prevail; and a regard is often had to private interest more than to the publick good. I have already given so many undeniable proofs of this, that I shall not trouble the reader with repetitions; but shall only observe, that the practice of other hospitals in this respect, is certainly worthy of imitation; for it is \* *seldom found, that a corrupt judge examines the truth.*

But behold the governor's art of reasoning.—He says, *That the noblemen who are presidents, have the sole appointment of their vice-presidents, and,*

\* *raro verum examinat omnis*

*Corruptus Judex*

Horace.

*confe-*

G.

*consequently, I must suppose them to be either knaves in consenting to the private views of their deputies, or fools in not finding them out.*

What a far-fetched deduction is this? What a knack has this governor at collecting his forces together? The noblemen who have the honour of being presidents, do generally live at a distance from Bath, and must necessarily refer the management of the hospital to their respective deputies, who may be presumed to act uprightly, but may greatly deviate from the hopes of their noble principals.

Let the governor look round him in all stations of life, and he will find, that subordinate officers do not always answer the expectations of their superiors; and nevertheless (I must ask the governor's pardon for saying it) those superiors are neither knaves nor fools.

### QUERY X.

*If it was reasonable to appoint an increase of physicians, from three to six, on the reduction of the number of patients in the hospital, from seventy to forty, why was a decrease of physicians, from six to three, appointed afterwards, when the number of patients arose to one hundred and twelve?*

One would think, that the number of physicians should be regulated in a just proportion to



the number of patients; but all order is here inverted. — The more patients the fewer doctors; and the more doctors the fewer patients; as tho' the governors acted by the rule of contraries. — Bright geniuses cannot be tied down to common rules.

The governor allows, that three physicians being preferable to six is a seeming paradox; he should have said a most monstrous one. But in the next sentence, he endeavours to make amends by a most curious apothegm indeed.

In his first edition he says, that the only motives which can preserve men in the discharge of a laborious continued duty, must either be profit or honour. Paradox upon paradox, with a witness. Let me ask him, is there no beauty in virtue, no essential difference between good and evil, no moral sense, no principle of conscience implanted in our minds? How does the governor debate the dignity of man, and even dishonour the great author of nature, by supposing the mean and mercenary

\* *Nullam virtus aliam mercedem laborum, periculorumque desiderat, præter hanc laudis et gloriæ, quâ quidem detractâ, quid est quod in hoc tam exiguo vitæ curriculo, et tam gravi tantis in laboribus exerceamus.*

TULLY Orat. pro Archia Poetâ.

A sentence more worthy of an heathen orator, than a physician in a christian country; and justly taken notice of by the learned Dr. Smallridge, as an instance of the heathens acting upon false principles.

views of profit, or honour, to be the only springs, the only governing principles of human action!

The philosopher of Malmſbury himself, could not have given a more deformed picture of human nature. The very heathens rise up in judgment against him. PLATO would teach him a better lesson; that *virtue, if we could behold its true effigy, was beauty itself.*

It may be said, perhaps, that the governor was a little off his guard; and that, in his second edition, he corrects himself, and represents profit and honour as only additional motives to the performance of a good work, human nature, as he observes, *being too frail to practise virtue for her own sake.* But the same leaven still appears, tho' he endeavours to conceal it with some artificial disguise. He must have a mean opinion of all moral excellence, to suppose that six physicians cannot be led by a principle of humanity or benevolence, to assist the poor in distress, without the prospect of temporal rewards; and to urge the reduction from six to three physicians, upon this sordid motive, that the *three* may be *the greater gainers* to themselves. -- Where is

RICE CHARLTON? -- Where is AREL MOYSEY? --

• Hoars.

Where



Where is the great OLIVER?—The very point is now granted which I have so long contended for.—It was this narrowness of soul that raised my indignation; and it is now confessed by their own advocate.---While honour and profit are the only idols of their hearts, it is no wonder, that gentlemen (who are actuated by more humane and christian principles) are excluded from all directions of this charity.

The practice of St. George's hospital is nothing to the purpose: the circumstances of these charities greatly differ, and, consequently, that may tend to the utility of the one, which may be the occasion of much mischief to the other. This, I am sure of, and I speak it with concern, that the Bath hospital can never flourish under its present regulations;

#### QUERY XI.

*When any order has been made contradictory to former orders, why have not the reasons for making such contradictory order been recorded, as well as the order itself, that, in after-times, some judgment may be formed of the rectitude of it?*

The governor is never at a loss, and his present argument drives home indeed, even to the confusion of all his adversaries.

He

He says, *It is impossible, in the nature of the thing, to record the reasons for any contradictory orders;—and why? because of the multiplicity of voters, and the multiplicity of reasons which may be offered for such alterations.*

I must own, the governor has set before us a most beautiful plan of his society, and their proceedings, how they vote, affirm, deny, one way, and another another; and no one has a right to ask why. — A glorious scene indeed! full of wisdom as well as integrity! They are all free-thinkers and free-actors; and upon this he founds his argument, that *it is impossible, in the nature of the thing, to specify the motives upon which they act.*

I shall only say, if this train of reasoning was just and conclusive, it would sadly puzzle the house of commons. Acts of parliament are the result of many councils; different causes are apt to be assigned, both for the institution or abrogation of all laws; and it is usual to recite in the preamble of the act, the several reasons upon which the act is founded. — Let me ask, Why do these senators aim at such impossibilities? not only beyond the power of this governor, but, as he declares, *above the nature of things?*

*Ridiculum*



*Ridiculum acri**Fortius et melius magnas plerumq; secat res.*

Hor. Lib. I. Sat. 10.

“ For ridicule shall frequently prevail,

“ And cut the knot, when graver reasons fail.”

*Francis's Transl.*

But notwithstanding this, which may perhaps be called a banter, I can seriously affirm, that the governor is in the right.---For when men act without, or against reason, it is impossible in the nature of the thing, that reason can be assigned for such conduct.

This is indeed the highest impossibility:---it implies a contradiction in terms; and as this is the real case, whatever the governor thinks of it, he is certainly obliged to me for bringing him off at last. By this method he may, at any time, evince the truth of his argument, in opposition to all reason whatsoever,

*Fas est et ab hoste doceri.***QUERY**

## QUERY XII.

*Does not the making an order to decrease the number of physicians, at the very instant before Dr. HARRINGTON resigned, and at a committee when the number of patients was agreed to be increased, evidently demonstrate, that the same was done to answer a private and not a publick end; if not on purpose, at that juncture, to prevent Dr. DAVIS from being elected a physician to the hospital?*

It was on the first of May, 1750, that the reductive order was made.—On that day Dr. HARRINGTON resigned.—Many solemn assurances had been given to Dr. DAVIS, that he should be admitted upon the first vacancy.

Against this gentleman no reasonable objections could be made.—He was both able and willing to administer many good offices to the charity.

But here was the Doctor's failing:—He had too much sense and spirit to bend to the will of any \* Dictator against his judgment; and as a governor, he had called for an enquiry, why so little good was done in the hospital. Unhappy circumstances, which always will be a bar to promotion in this hospital, as now directed!

\* *Nullius addictus jurare in verba magistri.*

HOR.

The



The Doctor, therefore, must be excluded at all events.—The difficulty was, how to do it with a good grace.

There was but one expedient left, and a lucky one it was; namely, to abridge the number of physicians, which would at once defeat all the Doctor's pretensions, without declaring any evil intentions towards him, and under the specious pretence of consulting the good and interest of the hospital.

What an excellent hand have these engineers at springing a mine, when they dare not appear in the open field?—But it does not require any deep penetration to see the bottom of such artifices.

I must observe, (tho' the unprejudiced reader will be startled at it) that, at this same committee, the number of patients was ordered to be encreased, which might have afforded a reason for the reception of Dr. DAVIS; but rendered his exclusion really unpardonable.

If the governor looks upon such conduct as a specimen of honour and sincerity, or of a steady attachment to the welfare of the hospital, much good may such honour, and such attachments, do him!—I am afraid they will do but little good to the afflicted poor.

H

QUERY

## QUERY XIII.

*Does not this decrease of physicians, when the number of patients was increased, tend to deprive the poor of assistance, and to prevent the improvement and communication of medical knowledge?*

The governor cannot bear it. He flies to his old argument, abuse and scandal \*. He lays to my charge *the want of knowledge, experience, and the wicked intention of practising upon patients, that, at the hazard of their lives and limbs, I may find out my errors.*

Such is his language; but I never triumph more than when I find him in an angry fit: and, in order to sooth his passions, I will humour him for a moment.

Suppose his friends, whose cause he espouses, are prodigies in physical knowledge; suppose that they surpass all that have went before them, in their deep researches into Nature; and that these philosophical inquiries are improved and confirmed by the longest course of experience, never attained by any but themselves: yet what pity is it, that these mighty treasures of wisdom

\* *Quid referam quantâ fœcundum jecur ardeat irâ.*



should be locked up in the breasts of them alone \* ?

Would it not be of the highest benefit to mankind, if these gentlemen would be more communicative ; if they would publish the particular cases of patients, and permit such fountains of knowledge to be open and diffusive as the Bath-waters themselves ? Then, what an excellent school would the Bath-hospital become ? Open the doors, and let all the faculty attend.--Then, how greatly would the next as well as the present generation be indebted to this wise triumvirate, for their kind benevolence to their fellow-creatures ?

But such is not the case. They are for keeping all their profound wisdom to themselves : These bright luminaries shine in too high a sphere, to dart down any light upon poor mortals here below.

But now let the governor turn the end of the perspective. Suppose, that these gentlemen are ignorant of the constituent principles of the waters ; suppose, that they have been dreaming of *soap and sulphur*, which never did exist in

\* *Paulum sepulta distat inertia  
Celata virtus.*——

Hor. Od. IX. Lib. 4.

these streams, and that they founded all their practice upon these erroneous notions, the mere creatures of their own fancy :---must it not then be allowed, that these persons can by no means be adequate judges of the use and application of Bath-waters? Can the superstructure stand, when the foundation is rotten? All reasonings, and all practice, founded upon false principles, must blind and prejudice the mind; and, like an *ignis fatuus*, mislead such unhappy inquirers into bogs and quicksands. Such men, (as PLATO said of MARGITES) *if they do know many things, must know them all amiss* \*.

I would not be thought to beg the question.--- Doctor LUCAS has drove those phantoms of *soap and sulphur* from the fountains of Bath.---He has clearly demonstrated, by undeniable experiments, that those evil spirits, which were supposed to haunt these places, were the shadows of imagination only; and that better genii attend here, who daily pour their benign influence upon us in plentiful streams of health.

The question, therefore, is now reduced to this single point; which are the best physicians, *they that know the waters, or they that know them not?* ---I shall say nothing of my own REFLECTIONS on the *USES and ABUSES of the BATH-WATERS*;

\* PLATO, ALCIB. 2d.



but content myself with acknowledging my thanks to the publick, for their kind reception.

But to end this dispute, I must desire the reader to compare the learned inquiries and judicious observations of Dr. LUCAS, with the wonderful performances of Dr. CHARLTON and Dr. OLIVER.

---*Sic parvis componere magna solebam.*

#### QUERY XIV.

*Can any man believe that the bishop or judges would give the sanction of a law to any order so inconsistent with charity and with the law of the land?*

The governor has no more to say than he said before. The act has been violated; by-laws neglected, and no application made to the bishop and judges. But still he would make us believe, that, when such application is made, the bishop and judges will not deny the seal of their approbation. And why? I must beg leave to say, not because of the rectitude of the proceedings at the hoſpital; but because, in all probability, such application never will be made.

How happy is this governor? By a quick turn of thought, peculiar to himself, he knows how to jump out of all difficulties.

*Quo*

*Quo teneam vultus mutantem Protea nodo?* HOR.

“ Say, while he changes thus, what chains  
can bind

“ Those various forms; this PROTEUS of the  
mind.

FRANCIS.

### QUERY XV and XVI.

*Why is a former order of a general court, for the inspection of the books of the hospital, to all who desire to see them, now over-ruled by the private direction of a few of the trustees only?*

*If the hospital-books are not concealed, and the publication of cases neglected, with a view to suppress a discovery of the truth, why are the books refused to be shewn? and why has any particular order of the trustees been made purposely to preclude those, who are desirous of publishing the cases for the benefit of the community?*

I have been so long accustomed to the governor's hard words, that I consider these weak efforts of a bad cause, but as small shot scattered at random upon the ground. I make no doubt, but it is a rejoicing day with him, when he fires his squibs as splendid tokens of victory; but, like XERXES's arrows, they fall below the mark,

at



at which they are pointed, and only flash and bounce about his own ears.

Observe the rancour with which he vents himself. He says, that *I have an implacable hatred to the charity, and its governors;—that I desire to have recourse to the books of the hospital, with no other view but to search out little errors, or inadvertent slips, and to magnify them into horrid crimes and breaches of trust;—that I have a malevolent spirit, that has no right to the common privileges of society, and that all honest men will be upon their guard against me.*

This is not enough to gratify his spleen.— In his second edition he adds, that *it is no breach of christian charity, to suppose that a man, who was capable of asserting such a falsehood without any proof, would have no scruple to alter, or erase the books of the hospital to give some colour to his assertion.*— And, in his postscript, he has a finishing stroke indeed, which may not improperly be inserted in this place—*If any books of the hospital, says he, have been refused to be shewn, it has only been to prevent their being altered by a person, who, by the falsehoods he has knowingly published, has given just reason for his being suspected capable of being guilty of any villany.*—Thus he rises, like HOMER's battles, in his terrors.

But

But the governor cannot provoke me to make reprisals upon him in his own way.---I shall only leave this elegance of behaviour to the serious consideration and judgment of the reader, who must be convinced that this gentleman certainly has a *fine bead*, and a most *delicate hand*, at drawing pictures.---I dare to say he lets no day pass *fine lined*. He hits every feature, every lineament, with such nice exactness and propriety, that it must be allowed, if he has not the *softest pencil*, he makes amends by the *boldness of his figures*.---This is his peculiar excellency; he paints distant objects as much to the life, as tho' he had the original before his eyes, and saw it, as in a glass, *even face to face*.

And he has another inimitable perfection; he does not, like APOLLO, when he drew ANTICHRIST's face, conceal the deformed part: but he has a soul above flattery, and had rather describe the ugliness of a monster, than all the beauties of nature.

“ Read those instructive leaves, in which con-  
spire

“ FRESNOY's close art, and DRYDEN's native fire,

“ And reading wish, like their's, our fate and  
fame,

“ So mix'd our studies, and so join'd our name;

“ Like



“ Like them, to shine thro’ long succeeding age,  
 “ So just his skill, so regular his rage.” POPE.

The governor will excuse this digression, as it is to do justice to his merit, and, indeed, his compliments demanded some publick acknowledgment from me; but as I cannot pretend to equal him in the polite arts of fine breeding, I shall now return, *ab homine ad rem*, from the man to the point in question.

The governor says, *that the hospital-books were never refused to any person*;---that is, They were granted to all.

As an exception to this, he owns, *that they were refused to me*, whom he paints in the colours above described.---But lo! in one moment he contradicts himself, by saying, *that I had an opportunity of looking into them, examining them, and extracting from them whatever I thought might answer my purpose*.

Here, in the same paragraph, we have an affirmative, a negative, and an affirmative again of the same fact, which amounts to this; *Doctor Baylies had the books*;---*he had not the books*;---*but he had the books*.---What wonderful logick is this? It is hard to know to which side the governor leans:

*He is himself his own antithesis.*

I

But

But had I, or had I not, a free perusal of the hospital-books? If he does not know, I will tell him the real truth.

I once had the liberty of seeing them, and of making extracts from them, but was soon debarred of that privilege, as too high a favour for me. Upon this refusal one of the governors did me the honour of applying for me: he was likewise denied, by virtue of a *verbal order*, as *the register told him*. The objection given was, that I had published against the *hospital*, and might do so again:

“ Avoid him as a mischievous creature.”

*Fœnum habet in cornu; longe fuge.* HOR.

Truth never desires to shelter itself in darkness: but here the curtain's drawn, and these managers are in as great a fright, lest their books and orders should be inspected by me, as if the *Trojan horse* was coming within their walls.

I once, indeed, had some private conversation with Mr. BATHURST upon this subject. That honourable gentleman was pleased to expatiate upon the good œconomy of the hospital, and offered to shew me the books of account. But what was this to the purpose? It was not the distribution



distribution of money that I wanted to enquire into :---I never doubted, nor called in question, the honest application of that \*.

My concern was only about the physical oeconomy of the hospital.---It was the committee-books which I wanted to peruse, for many reasons of importance to the publick, as well as to myself : but jealous minds will always be afraid, and will look upon the good actions of others as detracting from themselves.

The books of the hospital are therefore locked up from me, as close as SEMELE in the thigh of JUPITER.---The great dictators thus ordain :

-----*sic stat sententia---*  
*Omnibus idem animus.*

VIRG.

#### QUERY XVII and XVIII.

*If a disagreeable truth, in detecting a misconduct, should lessen the contributions to this charity for some time, may not the rectifying such misconduct again increase the same contributions ? And ought a deception of the public to be continued, for the sake of some advantages to a few individuals ?*

\* See the author's reflections on the uses and abuses of Bath waters, p. 126 ; wherein, after a censure on the physical oeconomy of the hospital, he says, *That the prudent conduct in the management of the fund for supporting the hospital, is truly exemplary, and cannot be too greatly applauded.*

*It*

*Is it not at least as great a crime to abuse, as to withhold, charity ?*

Stick to the point, governor.

Are not the contributions lessened ? Are not those deductions owing to the misconduct of the governors ? All that you say is, *that you are not sensible of any misconduct.* It signifies nothing, therefore, to talk to you, till your eyes are open. Others know that there are abuses, and that those abuses proceed from the lucrative views of a few individuals.

Not to perceive this must discover a great degree of insensibility indeed.

*Proin tu si vis taceri, vera dicito.* TER.

“ Confess the truth and all is over.”

### QUERY XIX.

*Is it possible for any set of people to act more to the discredit of the medicinal waters of Bath, than in laying a foundation for the misapplication of them, by artfully concealing from the world the many instances of their efficacy, which a publication of cases must exhibit ?*

The governor, in his answer to the former queries, has been forced, for brevity-sake, to  
 2 cramp



cramp his genius. He now unfolds himself, and displays his talents all at large. Behold him now in his full strength, rejoicing as a giant to run his course.---*I must beg leave, says he, to be a little particular in my answer to this Query.---As particular as he pleases; and, indeed, his particularities will soon appear.*

He declares his opinion with an air of great importance, *that the publick has no right to expect any thing more from the governors, than has been already performed.*

I must tell him, that they have a right in consequence of a promise made to the publick, which he himself acknowledges in the very next sentence. He owns, when contributions to the charity were first solicited, that a publication of cases, and the many advantages arising from it, were proposed, and urged as a strong motive to engage the generous assistance of the Great and Good:

Is not this therefore a debt due to the publick?—Must it not be an instance of the greatest fraud, under specious pretences, to draw money from the publick; and when that is obtained, to neglect the conditions upon which it is granted?

The time of giving this promise cannot alter the nature of the thing. Whether *before or since*

since the commencement of the act, in honour the obligation is still the same :

But the governor says, *that the act does not enjoin the publication of cases.* No---It might be thought unnecessary to prescribe that which was stipulated before, as a preliminary article ; and it could not be expected that the physicians in trust would pay no regard to so material a part of their duty.

But we are told, as an excuse for them, *that they were elected physicians, and not authors* : if we may judge of their abilities from the governor's performance, it is well that they were not made choice of in the latter capacity.---But, without being great authors, they might surely have undertaken to give a *plain* account, of *plain* matters of fact, in *plain* English.

It may be said, perhaps, that there are some circumstances which have fairly discharged them from all these obligations. Some learned casuists are of opinion, that \* *promises are not to be kept, the performance of which is of no use to the persons to whom they are made.*

It is very probable, that this is the governor's principle ; for he tells us, that the publication

\* *Ne illa quidem promissa servanda sunt, quæ non sunt iis ipsis utilia, quibus illa promissæ.*

TULLY de Off. Lib. III. c. 25.



of cases will not conduce to the welfare of the charity.

Let us hear his reasons.---He says, *That the poor labour under many inconveniencies; that they are confined to one small bath only, and at hours when it is not always proper for them to bathe; that they cannot bathe so often as might be proper for them; and that, for want of a better income, their admission into the hospital is sometimes delayed two or three months, whereby (as he expresses it) from originally proper, they become incurable.* Then the inference is drawn:--*A publication of cases, without having particular regard to these inconveniences, may rather deceive than instruct.*

If I judge rightly of the force of this argument, it must lie in this, that but *few cures are wrought*; and that therefore, it is better not to promulge any cases at all, for fear (as he himself says) *of deceiving the publick.*

But why does this governor take so much pains to shew the nakedness of the land? One would think that he was a spy, instead of a governor, or friend to the physicians.

I hope the case is not so bad as he represents it; but if it is, it certainly calls aloud upon the whole body of governors to exert their best endeavours to inquire strictly into the causes of these grievances, and to redress them, if possible. It is a sore evil indeed, and such as the present

arts of physick will never heal. But let a fair and impartial scrutiny be made into the causes of the governor's complaint, and a remedy will soon be found. -- For the fault is not in the waters, but (as I have long lamented) in a wrong use and application of them. These are the great inconveniences which the poor unhappily labour under.

Surely the governor has changed sides, and is now become an advocate for me; and I am the more confirmed in this opinion, when I read his next hint, which shews his fears to be very great; *lest the cases of the poor patients, as stated by the Bath physicians, may not correspond with the original cases, which were sent by the country-doctors.* I think there are no grounds for this apprehension: I make no doubt but the Bath physicians, when they undertake the task, will perform it well. I must thank Dr. OLIVER for his good beginning. You see, governor, I have now changed sides as well as you \*.

\* ————— *Hinc vos,*  
*Vos hinc mutatis discedite partibus; eja*  
*Quid statis? nolint. — Atqui licet esse beatis.*  
*Quid causæ est, merito quin illis Oliver ambas*  
*Iratus buccas inflet: neque se fore posthac*  
*Tam facilem dicat; votis ut præbeat aurem?*  
*Præterea, ne sic, ut qui jocularia, ridens*  
*Percurram, quanguam ridentem dicere verum*  
*Quid vetat? Ut pueris olim dant crustula blandi*  
*Doctores, elementa velint ut discere prima;*  
*Sed sapient amoto quæramus seria ludo.*

HOR. Sat. I.

I really



I really wonder that any man should rack his invention, to find out uncommon arguments against the publication of cases, when it is so easy to see, what a train of advantages it must draw after it.---It will be of use to the physician not only at Bath, but in all parts of the world. It will shew the nature of the waters openly, and to all; their manner of operation, their different effects in different constitutions, in a great variety of diseases, and in all the several stages of them.

All improvements in medical knowledge must certainly redound to the good of the community. All that labour under infirmities curable by these medicinal waters, the young and the old, the rich and the poor, will reap the benefit.

A publication of cases will be the best means to convince the world of the blessing of Providence, in pouring down these salutary streams upon us. It may draw many to seek and to find relief, who might otherwise languish in misery and distress, without any hope of cure.

It might greatly tend to the flourishing state of this whole city, increase the number of its visitors, and cause many, *who have evil will at Sion*, to become its friends and benefactors.---In

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short,

short, it would be the only way to stop the governor's complaints, *that there is a want of a better income to support the hospital.*

When men saw and heard the visible benefits arising from their charity, they would become more liberal;--their minds would be enlarged;--compassion would force its way into their hearts, and their love would flow in more abundant streams to those that want it.

Let not the governor therefore talk of his private schemes;--of letters from one physician to another;--and of registering cures in the hospital-books alone:---If he be a man, let him act as such, and extend the offices of humanity to all mankind.---

*Homo sum, humani nihil a me alienum puto.*

TERENCE.

QUERY



## QUERY XX.

*When subscriptions were soliciting to the Bath-hospital, the managers submitted all their conduct to the correction of the publick; and as it is still supported by them, why are not their opinions at this time to be regarded in the conducting of it?*

I have told you before, governor, that I had no complaints to make against the management of the hospital-funds.---It was the physical œconomy only that I condemned, and shall still condemn, till the grievances are acknowledged, and the authors of them are more open to conviction.---Such a leading step to reformation would give pleasure to many others, as well as to myself. But when men are impatient of advice, and deaf to all remonstrances of truth and reason, there can be no hopes of them. Such perseverance calls aloud for rebuke.

*Pars sanitatis velle sanari fuit. . . .*

SENECA

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QUE

QUERIES XXI. and XXII.

*When the members of any society have wilfully and confessedly suppressed the truth, for the promotion of their own interest, can credit be afterwards given to any account of facts, falling under their inspection alone, in case they should lay any such before the publick?*

*When any physicians have openly prescribed the publication of falsehood, as the only effectual band of peace\*; when they have avowedly refused a performance of their duty in their profession†, to satisfy private piques; when they have threatened to desert the poor and needy in sickness and distress, in case others were permitted to step with them in the paths of charity‡; what may we not expect such men would do, to promote their own interest, or satisfy their malice? Can they wonder the publick should be cautioned against their artifices?*

*We have here another outcry.---It is malicious; think of the author as he deserves: 1st Edition.--It is intended to blacken the characters of gentlemen, by false and groundless suggestions.--*

\* See the Narrative of Facts, page 46.

† Page 6, 26. History of the Hospital, p. 106.

‡ History of the Hospital, 110.

*What*



*What are we to think of this man?* 2d Edition.---  
Such is the governor's stile.---When he cannot  
raise a stronger battery, he dawbs with *untem-  
pered mortar*.---I shall only put him in mind of  
a story in Lord SHAFTESBURY \*.

“ A clown once took a fancy to hear the  
“ Latin disputes of doctors at an university.  
“ He was asked, what pleasure he could take  
“ in viewing such combatants, when he could  
“ never know so much as which of the par-  
“ ties got the better.

“ For that matter, replied the clown, I  
“ a'n't such a fool neither, but I can see  
“ who is the first that puts t'other in a  
“ passion.

“ Nature herself, says his Lordship, dic-  
“ tated this lesson to the clown, that he who  
“ had the better of the argument would be  
“ *easy and well-humoured*; but he who was  
“ unable to support his cause by reason,  
“ would naturally *lose his temper*, and grow  
“ *violent*.”

I need not make the application.---

----*Mutato nomine de te*

*Fabula narratur.*

HOR. Sat. Lib. I.

\* *Characteristicks*, Vol. III. p. 107, 108.

QUE-

QUERY XXIII.

*If the Bath hospital, or any other charity, is proved to be ill conducted by those who have the management of it; and if, in consequence of such proof, the contributors withdraw their assistance; who is to blame for the destruction of the charity? Is it the person who has exposed the conduct of the trustees? or, rather the trustees themselves, who have been guilty of, and still persevere in, that misconduct?*

The governor keeps to his point, even to the last, steady and inflexible, like himself.---But whether he will *bear*, or whether he will *forbear*, the facts are too plain; and all unprejudiced persons will look with an eye of concern upon the present management of the hospital.---For what can be more deplorable, than to see a noble institution of charity perverted and abused;---to see that carried on as a mere trade and a merchandize, by a few individuals, which was originally intended for the common good.

If a society be not founded upon any public establishment, but is left to the discretionary will and power of its members, there may be some plea for any errors of conduct: but when



a fair and regular plan of government is set before them, and enjoined by publick authority, how inexcusable must those governors be, who deviate from that rule, and transgress the essential and fundamental parts of it?---When they take upon them to call general courts, without legal notice;---to appoint, or disappoint the election of physicians;---to fill up, or not to fill up vacancies as they please;---when they exclude a resident member, tho' a man of unblemished character, qualified in all respects for the important trust, and substitute another gentleman, who, by his situation, is removed from all possibility of attendance;---when they deny to their own poor and distressed inhabitants, the common privileges to which they are entitled by the laws of their country, and not only conceal the records of their proceedings, but refuse even a governor the liberty of taking extracts from them;---when they vary the rules or by-laws, for the good government of the charity, as their private views may require, and disobey the express directions of the act, in not applying for the approval of them to their ecclesiastical and civil superiors:---when the cases of patients received into the hospital, are not laid before the publick, tho' it has long been

been promised, and would certainly produce great advantages both to the rich and to the poor :---and, lastly, when in support of these arbitrary measures, they compact together a band of the same profession, *doctors, surgeons,* and *apothecaries*, in preference to gentlemen of superior rank, and more independent fortunes : It must be allowed, that this is a long train of real grievances; the consequences of which are much to be dreaded.---It is to be feared, if such conduct is still persisted in, it must draw after it the utter subversion of this excellent charity; a charity which, if kept under proper regulations, would be attended with many happy advantages, which no other charity in this kingdom could possibly afford.

In its first institution it was not intended to be the monopoly of a few.---It was founded upon the most enlarged and extensive principles of benevolence. Its benefits were not confined to any particular place, or society of men: but it was a national charity, comprehending all within its bosom of love; and designed, for these noble ends; not only to alleviate the miseries of the poor, but to improve the knowledge of the waters for the good of the whole community.

These



These views were great, the design was worthy of its noble patrons, and was encouraged by a spirit of beneficence equal to the undertaking: The royal hand of mercy was reached down with ample munificence; and the nobility and gentry were so zealously affected towards the establishment of this charity, that they poured in their oblations in great and plentiful abundance, even beyond the expectations of those who first embarked in the good and generous design.

But what is the present situation of things? It grieves me when I speak it---the publick zeal is much abated---*the love of many waxeth cold.* Many, whose hearts were inflamed with the most ardent wishes for our prosperity, have either totally withdrawn their bounty, or bestowed it in less proportion.

The reasons are too evident:—Not because their minds are less animated with a fervent spirit of charity, nor because their *arms are straitened*, and they cannot do us the good which in their kind affections they wish toward us. But the cause is of another nature:—The hospital is not managed with an equal hand—partial regards take place—private schemes are formed; and more attention is given to the little mercenary views of a few; than to that

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which

which was the original intention of the charity--the universal good of our fellow-creatures.

In such a soil as this, it is easy to see that charity can never thrive; the genuine seed of love is choaked with tares, which some have sown amongst it, to make an harvest for themselves.

How much therefore does it concern them, who are the principal authors of these grievances, to lay aside that *gall of bitterness*, their private piques and prejudices, to obstruct none that are desirous to walk with them in the paths of charity; but to open the doors for the kind reception of all, that are able and willing to do us good. *Charity suffereth long, and is kind; charity envieth not, vaunteth not itself, is not puffed up, does not behave itself unseemly, seeketh not her own, is not easily provoked, thinketh no evil, rejoiceth not in iniquity, but rejoiceth in the TRUTH.*

To the honour of some of the governors I must say, that they are actuated by these noble christian and disinterested principles;---they have exerted their best endeavours to remove all causes of complaint; to put the administration of the hospital upon a more equitable footing; and I still flatter myself with hopes, that their



their good designs will be at last crowned with success ; and that *guilt*, when it can no longer shelter itself in *darkness*, will, without any further opposition, make its *silent retreat*.

And I am the more encouraged in this expectation, when I consider the nature and temper of that man, the only man, who has ventured to appear as an adversary against us, and, indeed, against the true interest of the hospital.

He has fully convinced the world, that, instead of reason and argument, he had no other dependence than upon low and scurrilous expressions, beneath the character of a gentleman, or a christian.---And even this great champion has not dared to shew his face, but sculks in a dark corner, without telling either *who he is, or from whence he comes*.

Let the reader judge, whether the following words of the learned and ingenious Dr. WARBURTON, are not as applicable to this anonymous writer, as to that little scribbler in disguise, who attacked the Doctor.

“ I had put my name to what I wrote, and  
 “ he attacks me without any : had either I  
 “ concealed mine, or he told his, he might  
 “ then have expected (if in other respects he  
 “ deserved

“deserved it) what the usual commerce of civility demands between people upon equal terms.---But *writing without a name, in the manner he has done*, is least of all excusable: for when a man’s person or reputation is attacked, I know little difference between the ruffian, and the writer in the dark.”

*Warburton’s Appendix to Vol. II. p. 57.*

THE END.



[That the Reader may be convinced I have paid a serious Regard to Truth, and have not misrepresented the Governor’s Reasonings, by any false Constructions, I have here subjoined his Answers to my Queries, in his own Words.]



A  
SHORT ANSWER

TO A  
SET of QUERIES

Annexed to

AN HISTORICAL ACCOUNT

OF THE

Rise, Progress, and Management

OF THE  
GENERAL HOSPITAL, or INFIRMARY,  
in the City of BATH.

---

By a Governor of the said Charity.

---

*Parcere personis, dicere de vitiis.* MART.

---

to the Committee of the Council of the Admiralty  
in answer to a resolution of the Council of the Admiralty  
passed on the 11th of December 1854

# SHORT ANSWER

TO A  
RESOLUTION OF THE COUNCIL OF THE ADMIRALTY  
PASSED ON THE 11TH OF DECEMBER 1854

## SET OF QUESTIONS

Annexed to

### AN HISTORICAL ACCOUNT



Rifle, Progress, and Management

OF THE

GENERAL HOSPITAL, OR INFIRMARY,  
in the City of BATH.

By the Hon. the Secretary of the Admiralty,  
in answer to a resolution of the Council of the Admiralty  
passed on the 11th of December 1854

MART.

Printed by the Admiralty, 1854



## ANSWER to the First QUESTION.

**T**HE act of parliament is an absolute direction for the proceedings of the governors of the general hospital at Bath, who have made it the rule of their conduct; but, where it is in any part obscure, they have thought themselves at liberty to explain it in such a manner as appeared to be most consistent with the good government of the charity; to promote which was the sole end and intention of the act.

The latter part of the question is a malicious and scandalous reflection on the conduct of all the governors, who are men of fair characters, who have spent their money, time, and labour for many years in the service of the charity, without fee or reward, of any kind whatsoever, and therefore cannot have deserved such injurious treatment.

## ANSWER to the Second QUESTION.

The act of parliament gives the governors an unlimited power to appoint as many or as few physicians as they shall think will be sufficient to take care of the sick admitted into the hospital.

Dr. Oliver, Dr. Harrington, and Dr. Rayner were the first three physicians appointed. Some time after, the governors increased the number to six: but when they had found by experience, that the hospital was better attended by three, than by six physicians, they again reduced their number to three. Which was all done by the direction of the act, and they have filled up the vacancies accordingly.

## ANSWER to the Third QUESTION.

It does not appear that this form has ever been neglected. Its not appearing in the books of the hospital that it was constantly observed, is no proof that it was not

done, because the act does not direct that it should be registered. The querist allows that it has been observed, though he is willing to suppose, that it has not *always* been so. But he cannot deny, that whenever a physician was to be elected every governor upon the spot has received a written summons to the ensuing general court, in which the intention of the governors to chuse another physician was always specified. How trifling is such a cavil!

#### ANSWER to the Fourth QUESTION.

By the authority of the act, which in its preamble declares that the charity is intended for the use of persons, whose habitations are at a distance from Bath. The poor inhabitants of the city of Bath have constant opportunities for enjoying the use of the waters; they never fail of the advice of every physician of the place, whenever they apply for it; and the corporation have an hospital intirely under their own jurisdiction, and appropriated to the use of such paupers as may want the assistance of the waters, and they do chuse and appoint a physician to take care of them, and pay him a salary yearly for that purpose.

#### ANSWER to the Fifth QUESTION.

The governors had a power of making any new orders and revoking old ones, as exigencies required. Therefore on the first establishment of the hospital they, from time to time, made such orders as they thought expedient for regulating their conduct; but, as no time was limited to apply for this approbation, they thought it necessary to carry all their orders to the bishop and judges for confirmation, as it would be attended with an expence to the charity which the act could never intend. After they had had some experience in the management of the hospital, a committee was appointed to examine the several orders they had made from time to time, and draw up a set of bye-laws, to be laid before the bishop and judges for their approbation; and this committee were to make their report to the general court on the first of May, 1751. The

gentle-



gentlemen appointed, finding more difficulty in executing this task than they were first aware of, instead of making their report on the first of May, desired further assistance, and it was then referred to the court of committees: there the matter was frequently debated, and the gentlemen were of opinion, that as there were many objections to the act itself, which no bye-law could remedy, it would be putting the charity to an useless expence, and giving the bishop and judges a needless trouble if they proceeded any farther, and that no inconvenience could happen to the hospital from deferring it till a new act of parliament could be obtained.

#### ANSWER to the Sixth QUESTION.

Does any man's thinking himself able to promote the ends of any society prove him to be so? If the author of the query means himself, I can with great truth answer him, that I think he was neither able nor willing. The querist, by the great strength of his natural genius, wrote a book on the uses and abuses of Bath-waters, before he had resided many months in the place where the waters are used; but, in p. 90, of his history, he has the modesty to desire that he may be elected a physician to the hospital, that he may, by experience, be enabled to correct the sentiments which he had already published on that subject, by which he owns that he did not know whether they were right or wrong, which he certainly ought to have known before he published any thing on so important a subject. Could the governors therefore be justified in electing a man physician to an hospital, who declares his inability to do his duty there, as attaining a sufficient knowledge in the use of the Bath-waters was the motive he himself alledged for applying? The preamble of the act takes no notice of any person's being elected, for the improvement of medical knowledge; but plainly says, the hospital was erected for the relief and support of such indigent poor as were not able, without such help, to procure to themselves any benefit from the Bath-waters; therefore the querist could not be elected till he had gained such

such experience as to be able to give the indigent poor such relief, from the use of those waters. As to his willingness to promote the ends of the society, his behaviour manifestly disproves it. In his letter to the governors, after saying, that he supposed no gentleman would, from any private motives, impede the utility of the hospital, he uses the expression, 'persevere in an open violation of the statute:—The word, *persevere*, implies their having been guilty of such violation, and a false accusation shews rather a willingness to disturb and injure the charity, than to promote the ends of it.

If a man appears to be of a litigious, quarrelsome, unfociable temper, who has already done all in his power to disturb the peace of a society, by defaming all the members of it, can such a man, without a most consummate assurance, solicit the members of that society to adopt him into their community? But we can't wonder at his assurance in such a step, when we see him hardy enough to assert, in the same query, that they (the governors) had seen their funds considerably augmented, in consequence of an order for the admission of all gentlemen who were desirous to be members; when no such order ever existed, or I believe was ever thought of by any body but himself; nor could there be any occasion for such an order, since the act of parliament has provided for the admission of any gentleman to be a governor of this charity by contributing forty pounds, which at the same time prevents the governors from making any such exclusive order as our historian here falsely chargeth them with. The clause in the act is this:

And, for the encouragement of such as shall be benefactors to so good a design, be it enacted, by the authority aforesaid, that if any person, charitably disposed, hath, or shall, at any one or more payments, pay into the hands of the treasurers of the said hospital, for the time being, the full sum of forty pounds; to and for the charitable uses and purposes in this act mentioned, such

Mr. Wood speaks of the time before the act was made.

person



person shall be, and is hereby declared to be, from the time of such payment of such forty pounds, as aforesaid, a governor of the said hereby erected corporation." See page 36 of the act.

Our historian therefore may be admitted a governor of this charity, whenever he chuses to comply with the terms of the aforesaid clause.

As to the latter part of the query, if any stress may be laid on the number of patients admitted into the general hospital as a proof of the flourishing state of it, the fact will prove the direct contrary to what the querist surmises, even from his own quotations; for the order for reducing the number of physicians to three was made in the year 1750, when but 75 or 80 patients were admitted, whereas from that time till May 1757 there were 112 patients; therefore, as the funds only failed the last two years of that time, it may rather be said, that the hospital flourished most under three physicians, and was only reduced it.

If the querist had really only intended to promote the ends of the charity, or to improve himself in medical knowledge, he might have attended the prescribing physicians when they visited the hospital, as many gentlemen have done, and thereby gained experience to prescribe to others.

#### ANSWER to the Seventh QUESTION.

The list of the governors annually printed shews how little foundation there is for this charge. By the last printed account for the year 1758, it appears, that the number of governors is 107, 21 of which only are of the faculty. By the same list it appears, that the number of committees is 35, 16 of which are of the faculty. The reason why these are so many is, that the town does not afford a number of gentlemen, who chuse to be governors, and will attend constantly the business which requires the presence of seven to make a court every week. It is therefore intended to apply to parliament for a larger number

number of governors and committees, which will make the attendance easier to gentlemen, and they will then more readily accept it. The governors have always shewn themselves desirous of having every gentleman, who is a settled inhabitant of the place, and is a governor, to be of the committee, and have elected them as often as vacancies have happened, and they have been willing to accept the office, as appears by the list.

#### ANSWER to the Eighth QUESTION.

This query implies a false fact: no member of the committee, particularly Dr. Davies, was ever excluded merely for non-attendance. In the year 1752, the governors received a letter from Dr. Davies, which was read in the committee, and which concluded in these words:

‘ That I may be more at leisure to pursue these designs, I intend to *withdraw* from all others of a public nature (the duties of my profession, whether to the rich or the poor, excepted) and therefore, as my question was carried in the negative, I think myself no farther concerned in it, and therefore should be glad if this was the last trouble I am to give to the board of the Bath-hospital. I wish you all success in your undertakings, and am,

Gentlemen, your very humble Servant,

R. I. DAVIES.

When this letter was read, it was thought reasonable to comply with Dr. Davies's request; but Dr. Hartley, who was then in the chair, said, that he attributed this letter to the heat of passion, and that he hoped the writer might alter his resolution; upon which the question was dropped, and no more said of it at that time.

The governors waited three years and a half, viz: from the date of this letter, November 18, 1752, to May 17, 1756, in hopes that Dr. Davies would have altered his resolution; but finding, that, in all that period of time,

he



he had attended but eight committees, one of which is held every week, and had performed the duty of house-visitor but twice, though he had been in Bath the whole time, the governors could not but be convinced, that he had not altered his desire of being no longer continued a member of the committee; at the general court, held May 1, 1756, it was thought reasonable to comply with his former request, and he was accordingly discontinued from being of the committee.

The insinuation that Dr. Davies was left out of the committee to make room for Dr. Oliver, jun. to be elected in his place, is intirely groundless, as appears from the order of the day, as follows:

Ordered, That the following gentlemen be elected governors.

Dr. Will. Oliver, jun.	} in the	{	William Duke of Devon,
Mr. Samuel Howse,			Charles Hedges, Esq;
George Scott, Esq;			Mr. Paul Bertrand.

*All deceased.*

and that Dr. Oliver, jun. Mr. Samuel Howse, and Mr. John Wood, be of the committee, in the room of Mr. Paul Bertrand, Robert Dingley, Esq; and Dr. Richard Davies.

It appears, from this order, that Mr. Howse, or Mr. Wood, were as really chosen in Dr. Davies's room, as Dr. Oliver.

But the crime is exaggerated by the historian, by his discovery that Dr. Oliver was out of the kingdom when he was elected; for once he speaks truth: but it is as true, that, at the time of his election, Dr. Oliver was expected home very soon, and, if he had not been so expected, what end could his being elected answer to himself or his friends, who were very sorry afterwards, when he did not return according to their expectation, that he had been elected at all.

## ANSWER to the Ninth QUESTION.

No physician was ever elected president of the hospital, except Dr. Frewin, who declined it. As to vice-presidents, they are only chairmen of the committees, and have more trouble than other governors. It is an office which has been refused by some of the physicians, and what no gentleman would desire if he could avoid it without injuring the charity.—To serve the charity has been their only view in accepting of it. For that reason I have, for many years, acted as vice-president, and have been more particularly assiduous, as, from a thorough knowledge of the good management and utility of the charity, I thought my time well bestowed in assisting it. Mr. Philip Allen, for some years, and Mr. Scot, has lately acted from the same motives. And the physicians have been prevailed on to officiate in summer, when gentlemen, who have more leisure, have been in the country. The noblemen, who have been presidents, are not much obliged to the doctor for his suggestion in the close of this query, as they have the sole appointment of their vice-presidents, and consequently he must suppose them to be either knaves, in consenting to the private views of their deputies, or fools in not finding them out; a discovery worthy of the penetration, candour, and charity of Dr. Baylies.

## ANSWER to the Tenth QUESTION.

Because the governors had learnt by experience, that the patients were better taken care of when there were but three physicians, than they were when there were six.

This may be a seeming paradox, though in fact it is not one; if it be considered that the only motives which can preserve men in the discharge of a laborious continued duty, must either be profit or honour: Where neither accompanies the employment,

This may be a seeming paradox, but it was true in fact, for human nature may probably be too frail to practise virtue for her own sake. It is therefore found to be prudent to add some rewards of honour or profit, as additional motives to the



ployment, a relaxation from the care of it must ensue. The governors found the truth of this observation; and as no profit accompanies this appointment, they therefore consigned it to three only, and thus by rendering it more honourable, they at the same time rendered it more deserving of their care to whom it was intrusted.

*2d Edit.*

*1st Edit.*

In St. George's hospital, they reduced the number of their physicians from six to four, when the number of their *in* and *out* patients were more than six, perhaps eight times as many as this hospital will contain. Three physicians therefore having been, upon trial, found to be the number most beneficial to the charity, they reduced six to three by the same authority by which they had before increased them to six.

#### ANSWER to the Eleventh QUESTION.

Only because from the nature of the thing it is impossible that it should be done. When an order is proposed to be made, the president reads it to all the members present; every member has a right to offer his objections against it; when they have been answered by any other member, and the nature and intent of the order has been fully discussed and explained, the question is put, whether the order shall be made, altered, or set aside; upon this all the present members give their votes different ways, for perhaps as many different reasons: all the committee wants to know, is, what the majority have determined; they have no right to enquire a reason from any member, why he has voted one way or another. Was the committee an individual, it might give you the motives upon which it acted; but as it consists of so many individuals, each of which may agree to do *one* thing from many different motives, which of these different motives would the Doctor have recorded?

## ANSWER to the Twelfth QUESTION.

At the general court, May 1, 1750, the physicians were reduced to three, their original number, which has continued to this day unaltered; yet he asserts that an order was made to decrease the number of physicians at the very instant before Dr. Harrington resigned, and assigns a motive for that order to be the particular prevention of Dr. Davies's being elected a physician to the hospital. Is not this entering into the hearts of men, and presuming to assign a bad motive for an action when there was plainly another, more reasonable, and more obvious, namely, the good of the charity, which the limiting the number of physicians to three appeared to be to the governors in that general court assembled, however it seems to him whose private interest may apparently lead him to dislike it?

Why would he insinuate, that Dr. Davies was so little approved of by the general court, as that they should make an order purposely to exclude him from being one of their physicians?

I dare say that gentleman had, as he well deserved, as many friends in that assembly as any other physician. But, like honest men, they preferred the good of the charity to all private considerations.

## ANSWER to the Thirteenth QUESTION.

Here the querist renews his complaint of not being admitted to learn his profession in the hospital. The poor are surely in a much better case when they are confined to the care of such who have been long versed in the use of the waters, than to be forced to submit themselves to persons who have never had any opportunities of learning how they should be treated, but want to practise upon them, and, at the hazard of their lives or limbs, to find out their own errors.

## ANSWER to the Fourteenth QUESTION.

When this charity was first instituted, the governors did not think themselves properly qualified to judge what by-laws



laws might be necessary for the well-governing the hospital, till experience had explained it to them. They therefore shewed (as I said in page 6.) their readiness to comply with the act of parliament, and acquainted the bishop therewith, and a committee was appointed to consider what by-laws were necessary to be laid before him; but as these gentlemen were of opinion, that there were some difficulties in the admission of patients, which could not be removed but by a new act of parliament, it was thought advisable not to proceed any farther till such an act could be obtained. But as yet the finances of the hospital have not appeared sufficient to warrant the laying out of money for obtaining such an act. As this and all other orders were made with an intention of promoting the charity, and, as they are none of them contrary to the law of the land, the governors have no doubt but they will meet with the bishop and judges approbation whenever they shall be carried to them for confirmation, the time for doing which is not limited by the act.

#### ANSWER to the Fifteenth and Sixteenth QUESTIONS.

The hospital-books were never refused to be inspected by any governor, or by any other person, except such person had shewn beforehand an implacable hatred to the charity, and its governors, and could desire to have recourse to them for no other reason, and with no other view, but to search out any little errors or inadvertent slips, *quas aut incuria fudit, vel humana parum cavit natura*, and to magnify them into horrid crimes and breaches of trust. Such malevolent spirits have no right

These two queries may properly be included in one answer. As to the first, I never heard of any order made for shewing the books, nor was it ever objected to; but, when a gentleman said it was reported the hospital money had been embezzled, I desired to be informed whenever the books were applied for, thinking it no breach of christian charity to suppose a man, who was capable of asserting such a falsehood, without any proof, would have no scruple to alter or erase the books

right to the common privileges of society, and all honest men will be upon their guard against them. But it appears by the historian's numerous quotations from the books of the hospital, that he had an opportunity of looking into them, examining them, and extracting from them whatever he thought might answer his purpose; surely if he had this privilege it can't be supposed that they were ever concealed from any other man alive.

*1st Edit.*

books to give some colour to his assertion,

*2d Edit.*

Pages 122—123. The doctor recites a conversation with me, and perverts it to answer his own private views. I desire the querist will recollect the whole of that discourse. He will then find that I started the subject in order to convince him that no affront was intended to Dr. Davies, when I proposed reducing the number of physicians to three, and I meant solely to prevent the hospital from being hurt by any injudicious proposal I had made before of fixing the number at six, which the governors had as injudiciously agreed to, but experience taught us that we had judged amiss in fixing on so large a number. The querist will remember, at the same time, that I told him, that I was so much convinced the gentlemen, concerned in the management of the hospital, acted only for the good of the charity, that, if he could suggest any thing that appeared to him to be the least mismanagement, I would either explain to him the reasons of it, or propose to the governors that it should be directly rectified; and when he alledged, that, for want of seeing the hospital-books, he could not sufficiently discover any mismanagement, I told him I would, at any time, send for the books to my house,



house, and shew and explain every thing to him. After such an open and candid behaviour on my side, what judgment is to be made of a man, who publishes a conversation in part only, and complains of books being denied him which he never properly applied for? For I never heard they were applied for at all.

#### A N S W E R to the Seventeenth and Eighteenth QUESTIONS.

I am not sensible the governors have been guilty of any misconduct, therefore think they cannot be guilty of abusing the charity. If the querist and his friends have prevented any person from contributing towards it, they, and they only, can be guilty of the crime of withholding charity.

#### A N S W E R to the Nineteenth QUESTION.

As this has been a favourite topic for the querist to declaim upon upon, I must beg leave to be a little particular in my answer to this query; and if I should differ from some gentlemen, who are governors of this charity, in my sentiments about publishing cases, I know, by experience, that I may depend on their candour for excusing me. I shall therefore declare it as my opinion, that the public has no right to expect any thing more from the governors than hath been already performed, and that doing more will not conduce to the welfare of this charity.

When gentlemen were soliciting contributions, a paper was published, in which, among other things, it was said, that a few years will furnish more histories of cases, (which may be depended upon, if the physicians keep due registers of the sick under their care) than any man's private practice could have done in an age. These, and other expressions to the same purpose, have been construed into a promise of publishing cases; but gentlemen should consider, that this was wrote before the act of parliament passed, and probably was not the sentiment of the majority of contributors, for, in framing the act, no notice was taken  
of

of publishing cases. They should likewise consider, that neither the physicians nor surgeons who offered their service [see Minute-book, October 31, 1744] mentioned any thing of publishing cases, nor was it made a condition on the election of Dr. Woodford and Dr. Moysey, who were desired, May 1, 1747, to attend as physicians to the hospital; nor to Dr. Charlton, who has been since elected. The public therefore have no claim on these gentlemen, who were elected physicians, and not authors.

I shall now endeavour to shew it will not conduce to the welfare of the charity.

Any person who has considered the present situation of the hospital, will find the poor there labour under many inconveniencies which do not affect the rich who frequent these waters, but retard and obstruct the cure of the poor patients, and are not in the power of the governors to remedy. I shall mention only three; one is, the patients from the hospital being confined to one small bath only, and at hours when it is not always proper for them to bathe.

Is not this restraint very absurd, when all other poor persons, who have not the advantage of the advice of physicians, and consequently are not so likely to be cured, may bathe at all hours, and in any bath? And from Bellott's hospital, where the patients are subject to the same diseases as in the infirmary, they bathe in every bath without giving offence.

Another inconveniency, the consequence of the former, is, that the patients cannot bathe so often as might be proper for them.

The third that I shall mention is, that, from the want of a better and more certain income, the governors are obliged to limit their numbers of patients, and the act of parliament requires that every person shall be admitted in his turn. Cases therefore of persons by being detained two or three months before they can be admitted, from originally proper, become incurable.

These inconveniencies, which do not affect the rich in similar diseases, so far affect the poor, that a publication of cases, without having particular regard to these inconveniencies,



niencies, may rather deceive, than instruct. This likewise gives rise to another difficulty, for if the case of the poor patient is published, as it really is when he is admitted into the hospital, the gentlemen of the faculty who drew it up in the country two or three months before, will imagine it was falsely represented, and, if the original case is printed, the physicians of the hospital will have just reason to complain; let those gentlemen therefore, who so loudly call out for cases being printed, assiduously labour to increase the income of the hospital, that a new act of parliament may be applied for, to give the poor better conveniencies of using the baths, and that every person may be admitted into the hospital as soon as he has occasion for such assistance.

But it is alledged, that the efficacy of the water is artfully concealed. Men of sense would not desire to conceal what must tend so much to their own interest, and fools would not have art enough to attempt it. This therefore requires no answer. But the fact is really otherwise. When a person applies to be admitted into the Bath hospital, his case is drawn up by some person of skill in the country, and the physicians and surgeons of the hospital give their opinion whether the case is proper, or not, and the patient is minuted or refused. This opinion is sent down into the country, and publishes, in an extensive manner, the opinion of the gentlemen of the faculty concerning the use of the waters in such cases.

When a patient is admitted, his case is entered in a book kept at the hospital, in which is also entered the time he continues in the hospital, and the state he is in when discharged. This book is to be seen, at any time, by any gentleman who desires it, and appears to me a sufficient publication of the cases.

If any gentleman hath thought proper to do more, it has not been done by any direction from the governors of the hospital, and must be regarded as the work of a private person only; and he will pardon me, if I say that it is my wish, and I believe the majority of the governors join in it, that the gentleman had deferred his publication till he had leisure to give the public an history of cures,

and his remarks on the various effects of the Bath-waters, and bathing in different cases, which, as no person is more capable of writing it than himself, would have been a valuable present to the public.

#### ANSWER to the Twentieth QUESTION.

The governors of the hospital have shewn so earnest a desire to have their conduct corrected by the public, that they have, by printed advertisements in the papers, called upon every body to send them informations of any errors which they could discover in the management of the house, that they might be rectified; and that they would discover any abuses, frauds, or impositions, of any person or persons either within, or without, and that they would freely communicate their sentiments how any of the expences of the house might be retrenched. Can the querist expect them to do more?

#### ANSWER to the Twenty-first QUESTION.

This question is so malicious, that every candid reader will answer it in his own mind; and think of the author as he deserves.

#### ANSWER to the Twenty-second QUESTION.

This, and the foregoing query, seem intended only to blacken the characters of gentlemen by false and groundless suggestions, and to bring a discredit on any thing they may think proper to publish. What are we to think of a man, who can do this at the same time that he calls on those gentlemen to publish?

#### ANSWER to the Twenty-third QUESTION.

This finishing stroke suggest two falsities; first, that the misconduct of the trustees has been proved; secondly, that any contributions of consequence have been withdrawn from his suggestions, though two or three well-meaning contributors may have been misled by his misrepresentations:



tions\*: how much soever he may please himself with the thought, all his zealous endeavours will never bring about the destruction of this noble charity, which is founded in true christian love towards our poor suffering brethren, and has ever been conducted with the most upright intentions.

## POSTSCRIPT.

**I**T may not be disagreeable to some of my readers, if I make a short abstract of the censures against the governors in the foregoing queries, and the answers to them. Those who recollect what has been said will think it unnecessary, and are desired to omit this postscript.

The queries I, II. III. X. XII. and XIII. relate principally to the act of parliament made for the establishment and to the infringement on that act. It was answered that the act was obeyed as far as it was understood; that they thought themselves at liberty to chuse as many, or as few physicians as they pleased, and fixed on three, as best for the charity, after a fair trial.

Query IV. blaming the governors for excluding the inhabitants of Bath, is answered by proving it was not in their power to admit them.

Query V. and XIV. relate to the sanction of the bishop and judges, to make the orders into by-laws; and to this it is answered, that, when a new act has been obtained, this order will be complied with, and the charity cannot suffer by this delay.

Query VI. relates to the author's desiring to be admitted a physician to the hospital, and is answered, by shewing him an improper person.

\* The income of the charity has indeed been gradually lessening for several years, the chief cause of its doing so are plainly these: When the hospital was first erected, it recommended itself to every body by its newness, and by its being a particular species of charity: and the nobility and gentry most generously contributed towards the establishment. There are many hospitals erected since, and war makes all things dear, every body feels it; fewer people have superfluities; peace, we doubt not, will restore and again revive its sister charity.---Till she does, we must do our best, and be patient.

Queries

Queries VII. and IX. suppose some advantage to persons elected vice-presidents, and hint that the physicians and their dependents have chiefly enjoyed that advantage. It is explained, that there is no foundation for this supposition.

Query VIII. mentions a fact which is confuted.

Query XI. requiring reasons to be given for the several orders made by the governors is answered, by saying such reasons cannot be given, nor are ever attempted in the books of any corporation.

Queries XV. XVI. XVII. XVIII. and XX. relate to the books of the hospital being refused to be shewn to the author of the queries, and to the injustice done to the public by not printing the transactions of the governors of the hospital: In the answers it is explained, that the querist has (perhaps purposely) confounded the books of the hospital; that those relating to the patients are always open to every body, and if any others have been refused to be shewn, unless the register, &c. was present, it has only been to prevent their being altered by a person who, by the falsehoods he has knowingly published, has given just reason for his being suspected capable of being guilty of any villainy.

The XIX. XXI. and XXII. relate to the publishing cases; but at the same time endeavour to discredit every thing published by the governors.—The answerer gives it as his own opinion, and his reasons for it, that cases ought not to be published; and shews the malignancy of the author of the queries in insisting on such publication, and at the same time throwing such an odium on those who are to publish them, that what they publish may be disregarded.





